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CEBU CITY TOURISM COMMISSION

Office of the Mayor
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CEBU CITY TOURISM COMMISSION

ORDINANCE (1068,1923, 1434, 1578)

BACKGROUNDER

The Cebu City Tourism Commission (CCTC) was created in 1980 under City Ordinance No. 1068, in order to actively pursue the programs and projects of the then Ministry of Tourism and the Philippine Tourism Authority and to initiate its own program of promoting, encouraging and developing Tourism as a means of projecting Cebu culture, history, traditions and natural beauty, and as an instrument of accelerating the development of the City of Cebu.

GENERAL PURPOSE OF THE CEBU CITY TOURISM COMMISSION

- ❖ To act as the implementing arm of the City Government in the achievement of policies and programs for the development, promotion and supervision of tourism in collaboration with other agencies, persons or entities concerned with tourism;
- ❖ To promote the development of areas with potential tourism value, otherwise known as "tourist zones".

DUTIES AND RESPONSIBILITIES

- ❖ To undertake studies on natural tourism resources and potentialities of the City of Cebu
- ❖ To formulate a tourism development plan for the City of Cebu in collaboration with the Department of Tourism and the Philippine Tourism Authority.
- ❖ To coordinate with the Department of Tourism in the development of infrastructure requirements supporting a tourist zone;
- ❖ In coordination with the City Planning Board and Department of Planning and Development as well as other appropriate agencies, to formulate and implement zoning regulations within a tourist zone.
- ❖ In coordination with the Department of Tourism, to arrange for the preservation and/or restoration of city monuments, historical landmarks and other tourist attractions;
- ❖ To recommend to the City Mayor to engage or retain and pay for the services of any professional or technical assistance from the private or government sector;
- ❖ To undertake fund raising campaigns such as cultural and benefit shows, etc. and to accept donations from any and all sources for city tourism development;

- ❖ To implement CCTC's licensing and regulatory functions; and
- ❖ To do any and all acts necessary, convenient or expedient to carry out the purpose for which the commission is created and which are not violative to any law.

ORDINANCE NO. 1068
Minutes of Regular Session, July 7, 1980
Approved by City Mayor Florentino S. Solon, July 16, 1980

AN ORDINANCE CREATING THE CEBU CITY TOURISM COMMISSION AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, under PD No. 189, dated May 11, 1973, which created the Ministry of Tourism and the Philippine Tourism Authority, it is the declared policy of the government to make the tourist industry a positive instrument towards accelerated national

development through which more people from other lands may visit and better appreciate the Philippines and through which the Filipinos themselves may learn more about the natural beauty, history and culture of their country and thus develop greater pride in and commitment to the nation.

WHEREAS, Cebu is one of the priority areas for tourism development under LOI No. 75, dated May 22, 1973 and directs the local officials concerned to extend assistance and cooperation to the Ministry of Tourism, particularly in facilitating the entry and egress as well as the hospitable reception, mobility and safety of tourists.

WHEREAS, although the implementation of the government policies and programs on tourism is principally lodged with the Philippine Tourism Authority created under PD No. 189, dated May 11, 1973, as amended by PD No. 564, dated October 2, 1974, there is need for the City of Cebu to have its own instrumentality to attend to matters pertaining to tourism, in collaboration with the Ministry of Tourism, the Philippine Tourism Authority, and other agencies or entities concerned with tourism.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Cebu that:

SECTION 1.- Declaration of Policy.- It is hereby declared to be the policy of the City of Cebu to actively pursue the programs and projects of the Ministry of Tourism and the Philippine Tourism Authority and to initiate its own program of promoting, encouraging, and developing Tourism as means of projecting Cebu Culture, history, traditions and natural beauty, and as instrument of accelerating and development of the City of Cebu.

SECTION 2.- Creation of Cebu City Tourism Commission.- To carry out the above policies, there is hereby created the Cebu City Tourism Commission, hereinafter called the Commission, which shall be under the Office of the City Mayor.

SECTION 3.- General Purposes.- The Commission shall have the following general purposes:

(a) To act as the implementing arm of the City government in the achievement of policies and program for the development, promotion and supervision of tourism, in collaboration with the Ministry of Tourism, the Philippine Tourism Authority and other agencies, persons, or entities concerned with tourism; and

(b) To promote the development of areas with potential tourism value, otherwise known as "tourists zones".

SECTION 4.- SPECIFIC FUNCTIONS AND POWERS: In the furtherance of the aforesaid purposes, and insofar as they do not encroach the powers and prerogatives of the Ministry of Tourism and the Philippine Tourism Authority, the Commission shall be charged and vested with the following functions and powers:

(a) To undertake studies on natural tourism resources and potentialities of the City of Cebu;

(b) To formulate a tourism development plan for the City of Cebu in collaboration with the Ministry of Tourism and the Philippine Tourism Authority;

(c) To coordinate with the Ministry of Tourism in the development of infrastructure requirements supporting a tourist zone;

(d) In coordination with the City Planning Board and Department of Planning and Development, as well as other appropriate agencies, to formulate and implement zoning regulations within a tourist zone;

(e) In coordination with the Ministry of Tourism, to arrange for the preservation and/or restoration of city monuments, historical landmarks, and other tourist attractions;

(f) To recommend to the City Mayor to engage or retain and pay for the services of any professional of technical assistance from the private or government sector;

(g) To undertake fund raising campaigns such as cultural and benefit shows, etc. and to accept donations from any and all sources for city tourism development; and

(h) To do any and all acts necessary, convenient or expedient to carry out the purposes for which the commission is created and which are not violative to any law.

SECTION 5.- Composition.- The Cebu City Tourism Commission shall be composed of a Chairman and four (4) members who shall be appointed by the City Mayor. The Administrative Officer whose position is hereinafter provided, shall be an ex-officio member. He shall be appointed by the City Mayor upon the recommendation of the Chairman.

SECTION 6.- Term of Office.- The term of office of the Chairman and the Commissioners shall be six years unless his services may be sooner terminated at the pleasure of the appointing power. However, out of the first set of five Commissioners, one shall hold office for a term of six years, two for a term of four years, and the last two for a term of two years. A successor to a member whose term has expired shall be appointed for the full term of six years from the expiration of the term of his predecessor.

SECTION 7.- Vacancy Before Expiration of Term.- Any Commissioner appointed to fill a vacancy in the Commission occurring prior to the expiration of the term for which his predecessor was appointed shall serve only for the unexpired portion of the term of his predecessor.

SECTION 8.- Per Diems.- Unless otherwise fixed by the City Mayor, the Chairman and the Commissioners shall receive for every meeting attended a per diem of not more than ONE HUNDRED (P100.00) PESOS; Provided, that such per diem shall not exceed SIX HUNDRED (P600.00) PESOS per month for each Commissioner.

SECTION 9.- Quorum and Effect of Vacancies.- The presence of three members of the Commission, including the Chairman or the Vice-Chairman and the ex-officio member, shall constitute a quorum for the transaction of the business of the Commission. Vacancies in the Commission, as long as there shall be Three members in the office, shall not impair the powers of the Commission.

SECTION 10.- Meetings.- The Commission shall meet as frequently as necessary to discharge its duties and responsibilities properly, but shall meet regularly at least twice a month. The Commission shall be convoked by the Chairman on his

own initiative or upon the written request of a majority vote of the Commissioners constituting a quorum shall be sufficient for the adoption of any rule, resolution, decision, or any act of the commission.

SECTION 11.- Administrative Officer.- The management of the business affairs of the Commission shall be entrusted to a full time executive to be known as the Administrative Officer.

SECTION 12.- Powers and Duties of the Administrative Officer.- The Administrative Officer shall have the following powers and duties:

- (a) To execute the policies, rules, and regulations promulgated by the Commission;
- (b) To direct, manage, and supervise the ordinary affairs of the Commission including the administrative supervision of personnel;
- (c) To prepare the agenda for the meetings of the Commission;
- (d) To submit an annual report within thirty days after the close of each calendar year;
- (e) To perform such other functions, duties and powers as may from time to time be assigned to him by the Chairman of the Commission; and
- (f) To submit a bi-monthly report to the Chairman, Committee on Public Information and Tourism of the Sangguniang Panlungsod.

SECTION 13.- Applicability of the Civil Service Law, Rules and Regulations.- The Administrative Officer and all other employees of the Commission shall be subject to the Civil Service Laws, Rules and Regulations.

SECTION 14.- Separability Clause.- The provisions of this ordinance are hereby declared to be separable, and in the event that any one or more of such provisions are held unconstitutional, they shall not effect the validity of the other provisions.

SECTION 15.- Repealing Clause.- Executive Order No. 81 of the City Mayor, dated March 12, 1980, is hereby declared superseded by this Ordinance, and the functions, powers, duties and officials of the Cebu City Tourism Committee, are hereby transferred to and shall continue to be vested in and assumed by the Cebu City Tourism Commission. The Office for the Promotion of Tourism under the Office of the City Mayor is hereby abolished. However, officials and employees therein shall henceforth be under the Cebu City Tourism Commission. All other ordinances, resolutions, executive orders and administrative orders or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 16.- Appropriation.- There shall be appropriated a sum of ONE HUNDRED FIFTY THOUSAND (P150,000.00) PESOS for the creation and maintenance of the Commission.

SECTION 17.- EFFECTIVITY.- This Ordinance shall take effect upon its approval.

ORDINANCE NO. 1923
Minutes of Regular Session dated April 14, 1997

AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 1068 ENTITLED "AN ORDINANCE CREATING THE CEBU CITY TOURISM COMMISSION AND APPROPRIATING FUNDS THEREFOR."

WHEREAS, during the recent meeting of the Tourism Commission it was decided that there is a need to introduce further amendments to the ordinance;

WHEREAS, such amendments are necessary to make the Tourism Commission more effective and operational;

NOW, THEREFORE, the Sangguniang Panlungsod of the City of Cebu in a regular session assembled, hereby ordains that:

SECTION 1.The following sections of Ordinance No. 1068 entitled "An Ordinance Creating the Cebu City Tourism Commission and Appropriating Funds Therefor" are further amended to read, as follows:

"Section 5. Composition. The Cebu City Tourism Commission (CCTC) shall be composed of a Chairman and TEN (10) MEMBERS WHO SHALL BE APPOINTED BY THE CITY MAYOR. THE CITY COUNCIL CHAIRMAN OF THE COMMITTEE ON TOURISM SHALL BECOME A REGULAR MEMBER OF THE COMMISSION.

"Section 6. Term of Office. – The term of office of the Chairman and the Commissioners shall be co-terminus with the appointing authority unless his/her services may be sooner terminated.

"Section 8. Per Diems – Unless otherwise fixed by the City Mayor, the Chairman and the Commissioners shall receive for every meeting attended, a per diem of not more than TWO HUNDRED FIFTY PESOS (Php 250.00); provided, that such per diem shall not exceed ONE THOUSAND PESOS (Php 1,000.00) per month for each Commissioner.

"Section 9. Quorum. – The presence of SIX Members of the Commission including the Chairman shall constitute the quorum for the transaction of the business of the Commission. Vacancies in the Commission, as long as there shall be SIX members in the Office, shall not impair the powers of the Commission.

"Section 11. CCTC SECRETARIAT. – The management of the business affairs of the Commission shall be handled by a technical group to known as the CCTC Secretariat, whose membership shall be taken from the organic structure of the City Government; to be appointed by the City Mayor. The Composition of the CCTC Secretariat shall be:

- a) ONE (1) PROJECT DIRECTOR
- b) ONE (1) ASSISTANT PROJECT DIRECTOR; AND
- c) THREE (3) TECHNICAL STAFF.

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Section 12. Duties and responsibilities of the Secretariat. - The CCTC Secretariat shall have the following duties and responsibilities:

PROJECT DIRECTOR:

- a) Participate in the over-all Project Planning Policy and Strategy formulation of the Commission;
- b) Directs and coordinates in the implementation of programs and projects of the Commission;
- c) Supervises the staff of the CCTC Secretariat;
- d) Directly responsible and accountable to the Commission for the effective and efficient accomplishment of its projects; and
- e) Does other duties and responsibilities as may be assigned by the Chairman of the Commission.

ASSISTANT PROJECT DIRECTOR

- a) Assist the Project Director in carrying out duties and responsibilities;
- b) Acts as Project Director in the absence of the Supervisor;
- c) May undertake the management of specifically assigned group of Project Component; and
- d) Does other duties and responsibilities as may be assigned by the Project Director.

TECHNICAL SUPPORT STAFF

- a) Prepares the agenda, notices and minutes of meetings;
- b) Prepares periodic reports of accomplishments of the Commission;
- c) Prepares vouchers, payrolls, official communications of the Commission;
- d) Assists in the implementation of programs and projects of the Commission; and
- e) Does other duties as may be assigned from time to time.

Section 13. COMPENSATION OF CCTC SECRETARIAT – The CCTC Secretariat represented by at least two (2) personnel set forth under section 11 on Composition shall be entitled to a per diem of FIVE HUNDRED PESOS (Php500.00) per meeting attended, provided that such per diem shall not exceed TWO THOUSAND PESOS (Php 2,000.00) per month for each personnel.”

Section 2. Separability Clause – Should any portion of this amendatory ordinance be declared invalid, the other parts thereof not so declared shall remain in full force and effect.

Section 3. Repealing Clause – All other laws or ordinances inconsistent with the provisions of this ordinance are hereby repealed and modified accordingly.

Section 4. Effectivity – This ordinance shall take effect immediately upon Its approval.

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ORDINANCE NO. 1434 (WITH AMENDMENT)
Minutes of Regular Session dated December 18, 1992
Approved by City Mayor Tomas R. Osmena, January 11, 1993

AN ORDINANCE ENACTING A CODE GOVERNING THE OPERATION AND ACTIVITIES OF ALL PERSONS, FIRMS, ENTITIES AND ESTABLISHMENTS THAT ENGAGE IN THE TOURIM BUSINESS.

WHEREAS, in compliance with the provisions of the Local Government Code of 1991 (R.A. 7160) for the devolution of functions, the Department of Tourism and the City of Cebu have transferred the Department's licensing and regulatory powers over the operations and maintenance of resorts, hotels, tourist-lines, apartment-hotels, professional congress organizers and travel agencies to Cebu City;

WHEREAS, due to the change in the licensing authority of the aforementioned establishments and undertakings, the Memorandum of Agreement and the intentions of R.A. 7160 finds a need to enact an ordinance governing said matters;

NOW, THEREFORE, foregoing premises considered, the Sangguniang Panlungsod of the City of Cebu, in a regular session assembled, hereby ordains that:

TITLE – I

DEFINITION OF TERMS

SECTION 1. – Definition. For purpose of this ordinance, the following shall mean:

(a) ACCREDITATION A certification issued by the Commission that the Holder is recognized by the Commission as having complied with its Minimum standards in the operation of the establishment concerned.

(b) ASSOCIATION – An organization of persons/entities having the subject and promotion of tourism as a common interest.



(c) COMMERCIAL TEMPORARY ACCOMODATION – Any property, whether hotel, apartment-hotel (apartel), all-suite hotel, boutique hotel, motorist hotel (motel), resort, pension, inn or not which is used for the regular reception accommodation or lodging of travelers and tourists with the provision of services incidental thereof for a fee.

(d) COMMISSION – Refers to the Cebu City Tourism Commission.

(e) COMPANY – Any establishment, firm, single proprietary, partnership, corporation or entity that engages in the business of accredited tourism operations.

(f) DEPARTMENT STORE – A store that sells or carries several lines of merchandise and that is organized into separate sections for the purpose of promotion, service, accounting and control.

(g) FIRM/ESTABLISHMENT – Refers to any commercial temporary accommodation operation, travel agency or tourist transport.

(h) HOTEL – Means the building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travelers and tourists and the provision of services incidental thereto for a fee.

(i) INBOUND TOUR – Means a tour to or of the Philippine or any place within the Philippines.

(j) LICENSE – Shall mean the privilege or authority granted by the City Mayor to own, operate, manage and maintain a hotel, travel agency, resort and other oriented facilities covered by this ordinance.

(k) MOTORIST HOTEL (MOTEL) – Any structure with several separate units, primarily located along the highway with individual or common parking space, at which motorist may obtain lodging and in some instances, meals.

(l) OUTBOUND TOUR – Means a tour to or of any other place outside of the Philippines.

(m) PENSION – A private, or family-operated tourist boarding house, tourist guest 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.

(n) RESORT – Any place or places with pleasant environment and atmosphere conducive to comfort, healthful relaxation and rest, offering food, sleeping accommodations and recreational facilities to the public for a fee or remuneration.

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

(p) SHOP – A retail establishment offering specified line of goods or services.

(q) SPORTS AND RECREATIONAL FACILITIES – These includes swimming pools, bowling lanes, tennis courts, relota or squash courts, golf courses, riding range, archery range, aquatics/water sports arrangements, fishing, water skiing, and similar facilities forming part of a property.

(r) TOURISM-RELATED ESTABLISHMENT – Any establishment or enterprise which is not licensed nor directly supervised and regulated by the Department of Tourism but which caters incidentally to both foreign and local travelers and tourists.

(s) TRAVEL AGENCY – Shall mean an entity which may either be a proprietorship or partnership, extending to individuals or groups such services pertaining to documentation of travel papers, ticketing, sales and/or issuance of tickets, arrangement and booking for transportation and/or accommodation, handling and/or conduct of tours within or outside Philippines whether or not for a fee, commission, or any form of compensation.

(t) TOUR GUIDE – shall mean an individual who guides both foreign and domestic, for a fee, commission, or any other form of lawful remuneration.

(u) TOUR OPERATOR – shall mean an entity which either be a single proprietorship, partnership or corporation regularly engaged in the business of extending to individuals or groups, such services pertaining to arrangements and bookings for transportation and/or accommodation, handling and/or conduct of inbound and/or outbound tours whether or not for a fee, commission, or any form of compensation;

(v) TOURIST LAND 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 character or regular run.

(w) LTFRB – Land Transportation Franchising and Regulatory Board.

(x) TOURIST WATER TRANSPORT – Any watercraft catering to tourists.

(y) WATERCRAFT – every description of conveyance, except seaplane, used or being capable of use as a means of transportation on water which shall include passenger ship, ferry, pleasure yacht and other similar conveyances.

(z) PASSENGER SHIP – Any vessel which is authorized to carry more than twelve (12) passengers as further defined in the Philippine Merchant Marine Rules and Regulations.

(1) FERRY – any vessel having provision only for deck passengers as defined in the Philippine Merchant Marine Rules and Regulations.

(2) PLEASURE YACHT – any vessel which is used for pleasure only as defined the Philippine Merchant Marine Rules and Regulations.

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(3) LONG-HAUL TRIP – Travel of considerable distance in terms of period of time which shall be measured at a minimum of over four (4) hours from point of embarkation to final destination.

(4) PASSENGER ACCOMMODATION AREA – a passenger seating area/or cabin/sleeping area.

(5) TOURIST AIR TRANSPORT – any air conveyance catering to tourists.

(6) CONVENTION – Any gathering for the purpose or exchanging or disseminating views, technical expertise, experiences, knowledge, skills, information, policies or any other related activity. It does not include corporate meeting or events where participation is limited to company personnel only. The term shall include any of the following:

(6.1) CONFERENCE – Usually general sessions and face-to-face groups with high participation to plan, get facts, solve organization and member problems.

(6.2) CONGRESS – More commonly used European designation for convention and mainly international in scope.

(6.3) SEMINAR – Usually one face-to-face group sharing experiences in a particular field under the guidance of an expert discussion leader. Attendance generally are 30 persons or less.

(6.4) LECTURE – A formal presentation by an expert sometimes followed by question-and-answer period.

(6.5) SYMPOSIUM – A panel discussion by experts in a given field before a large audience; some audience participation but appreciably less than a forum.

(6.6) FORUM – A panel discussion talking opposite sides of an issue by experts in a given field with liberal opportunity for audience participation.

(6.7) WORKSHOP – Usually a general session and face-to-face groups of participants training each other to gain new knowledge, skills or insights into problems; attendance generally no more than 30-35 participants.

(6.8) COLLOQUIUM – A program in which the participants determine the matter to be discussed. The leaders would then construct the program around the most frequent problems; usually attended by 35 persons or less with equal emphasis on instruction and discussion.

(6.9) PROFESSIONAL CONGRESS ORGANIZERS (PCO) – Any person, natural or juridical, who manages conventions, either as an official of an organization, consultant, volunteer or as a retained professional.

(7) TOURIST INN – a lodging establishment catering to transients which does not meet the minimum requirements of an economy hotel.

(8) APARTEL – any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourists and travelers for dwelling on a more or less long term basis and offering basic services to its tenants, similar to hotels.

(9) PENSION HOUSE – a private or family-operated tourist boarding house, tourist guest house or tourist lodging house employing non-professional domestic helpers regularly catering to tourist and 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.

(10) MUSEUM – an institutional establishment where a collection of valuable objects and artifacts on history and culture, arts and sciences are put on exhibition for the general public.

(11) TRAINING CENTERS – any establishment which offers one or more training programs for tourism manpower development and which is equipped with training facilities, equipment and instructional staff.

(12) TRAINING PROGRAM – a module designed for tourism manpower development.

(13) TRAINER – any individual who conducts training programs as specified in the preceding paragraph.

(14) HOMESTAY -

(15) REST AREAS IN GASOLINE STATIONS

(16) SPA

(17) AGRI-TOURISM/FARM SITES

(18) TERTIARY HOSPITALS

TITLE – II

GENERAL ADMINISTRATIVE PROVISION

SECTION 2. – Cebu City Tourism Commission. - The Cebu City Tourism Commission created under Ordinance No. 1068 shall process and recommend to the City Mayor for the approval of application of any person, partnership, corporation or other entity to maintain, operate, or engage in the business of commercial temporary accommodation or travel agency within the territorial limit of the City of Cebu. The objectives are:

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(a) To control the proper development of the tourist and hospitality industries bearing in mind the interests of the community and the economic implications of such;

(b) To establish the Cebu City Tourism Authority as the body to administer and carry out the formal requirements of the ordinance and be responsible to the City Mayor to monitor and make policy adjustments to meet the ongoing needs of the public and the industry.

(c) To provide a flexible system with as little formality or legal technicality as may be practicable for the administration of this ordinance.

(d) To provide a legislative framework which will minimize the abuse of the ordinance.

(e) To provide revenue for the purpose of the City to administer the ordinance.

SECTION 3. – Registration and License. - No person, natural or juridical, shall keep, manage or operate any building, edifice or premises or a completely independent part thereof, for the purpose of commercial temporary accommodation or travel agency or engage in the business of commercial temporary accommodation or travel agency without first having been issued a certificate of registration and a license to operate as such by the City Mayor. Such application for registration and licensing shall be processed in accordance with the procedures provided in this ordinance.

In this connection, all tourism activities in Cebu City of any entity violating this provision shall be subjected to the penalties herein provided.

SECTION 4. – Confidential Character of Certain Data. - Information and documents received by or filed under the ordinance shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned or upon the order of the Commission. Any official or employee of the Commission including those that are temporarily assigned therewith who shall violate the provisions herein embodied shall be punished in accordance with this ordinance.

→ **SECTION 5. – Copy of Ordinance Made Available for Inspection.** Every commercial temporary accommodation operator or travel agency shall keep a copy of this ordinance open to inspection whenever any of its guests or clients shall request to be shown a copy thereof.

SECTION 6. – Employment of Foreign Nationals. - The employment of foreign nationals by an establishment shall be in accordance with the provisions of the Revised Joint Circular of 1992, among the Department of Tourism, Labor and Employment and the Bureau of Immigration, Enunciation Policy Guidelines on the Employment of Foreign Nationals in the Hotel/Resorts Industry.

SECTION 7. – Training of Filipino Understudies. - Commercial temporary accommodation operators herein mentioned employing foreign nationals with supervisory, technical or advisory functions shall include in the contract of employment of such foreign nationals a provision for the training of at least two (2) Filipino understudies to whom each foreign national will impart his specialized skills.

SECTION 8. – Submission of Program. - The company's management shall submit to the Commission within five (5) days from assumption of duties by the foreign nationals the program for training Filipinos in discharging the functions of foreign nationals by the company.

SECTION 9. – Submission of Annual Reports. - The company shall submit to the Commission an annual report on the progress of its training programs of Filipino understudies by foreign nationals.

→ **SECTION 10. – Power to Hear and Resolve Complaints.** - The **Legal Office** shall hear and render resolutions/recommendations on complaints filed against companies by guests/clients herein mentioned for violations of any of the provisions of this ordinance or circulars issued by the Commission in accordance with its rules and procedures governing complaints.

SECTION 11. – Register of Property Left by Guests. - A book in which shall be entered without delay the particulars of any property left in the commercial temporary accommodation by any guest shall be kept in such language and form as the Commission may require.

SECTION 12. – Submission of Reports and other Documents. - Every commercial temporary accommodation operator shall submit to the Commission within the time herein specified four copies of the following:

(a) Any amendment to the Articles of Incorporation and By-Laws, Articles of Partnership or Association, as the case may be, within five (5) days from the date of the registration of the amendment with the appropriate government agency;

(b) Replacements of any directors or other principal officers of the corporation, partnership or association, with an indication of the nationality of each new officer, and accompanied by a copy of his certificate of citizenship, if a naturalized Filipino, within five (5) days after said replacement;

(c) Replacements/resignation/separation of the property manager, the assistant manager, or any other member of the staff within two (2) days after such change; and

(d) Any change in the personnel complement stating the respective designation, salaries (including other compensation), nationalities, home addresses, within (5) days from such changes.

SECTION 13. – Code of Ethics and/or Conduct. - Hotel/Resort owners/keepers/managers and/or the hotel association, if any shall formulate, a Code of Ethics and/or Conduct which shall govern the conduct of hotel/resort owners/keepers/managers in their dealings with one another and the conduct to be observed by the hotel/resort staff or employees towards each other and/or guests or tenants of the hotel/resort.

SECTION 14. – Enlistment of Aid, Assistance and Support of Other Government Agencies. - In the implementation of the provisions of this ordinance and circulars and enforcement of orders or decisions, the Commission may enlist the aid, assistance and support of any and all government agencies, whether civil or military.

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

C. Front Office/Reception

There should be a reception, information counter and guest relations office providing a 24-hour service and attended by a highly qualified, trained and experienced staff.

❖ Lounge

There should be a lobby and a well-appointed lounge with seating facilities the size of which is commensurate with the size of the property.

❖ Porter Service

There should be a 24-hour porter service.

❖ Foreign Exchange Counter

There should be a duly licensed authorized foreign exchange counter.

❖ Mailing Facilities

Mailing facilities including sales of stamps and stationery should be available.

❖ Long Distance/Overseas Call

Long distance and overseas telephone should be available.

❖ Reception Amenities

There should be a luggage storage room and safe deposit boxes.

❖ Facsimile/Telex Facilities

There should be facsimile and telex-transceiver facilities.

D. Housekeeping

Housekeeping should be of highest possible standard. A Vermin control program shall be regularly maintained in all areas. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed on sanitation and the regulations of the City Health Department.

➤ Linen

There should be plentiful supply of all linen/ blankets/towels, etc. which should be of the highest quality available and should be spotlessly clean. The linen and towels should be changed every day.

➤ Laundry/Dry Cleaning Service

Laundry and dry cleaning services should be available.

➤ Carpeting

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

E. Food and Beverage

◆ Dining Room

There should be a coffee shop and at least, one specialty dining room which are well-equipped, well-furnished and well-maintained, serving high quality cuisine and providing entertainment.

◆ Bar

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

◆ Kitchen

(i). The kitchen, pantry and cold storage should be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic.

(ii). The kitchen should have an adequate floor area with non-slip flooring and tiled walls, vermin proof and adequate light and ventilation.

◆ Crockery

(i). The crockery should be of elegant design and superior quality.

(ii). There should be ample supply of it.

(iii). No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well plated and polished at all times.

F. Recreational Facilities

□ Swimming Pool

There must be a well-designed and properly equipped and maintained swimming pool.

□ Tennis/Golf/Squash/Gym Facilities

There should be at least one recreational facility or tie-up with one within the vicinity of the property.

G. Entertainment

Live entertainment should be provided.

H. Engineering and Maintenance

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❖ Maintenance

Maintenance of all sections of the property (i.e., building, furniture, fixture, etc.) should be of superior standard.

❖ Air Conditioning

There should be centralized air-conditioning for the entire building (except in areas which are at a minimum of 1,000 meters above sea level.)

❖ Ventilation

There should be technologically advanced, efficient and adequate ventilation in all areas of the property.

❖ Lighting

There should be adequate lighting for all public and private rooms.

❖ Emergency Power

There should 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 must conform with the requirements of the Fire Code of the Philippines.

I. General Facilities

➤ Outdoor Area

The property must have common outdoor areas for guests (examples; a roof garden or spacious common terrace).

➤ Parking/Valet

There should be adequate parking space and valet service.

➤ Function/Conference Facilities

There should be one/more of each of the following conference rooms, banquet halls (with a capacity of not less than 200 people seated) and private dining rooms.

➤ Shops

There should be an accredited travel agency/tour counter, news stand, barber shop, beauty parlor, and sundries shop.

➤ Security

Adequate security on a 24-hour basis must be provided on all entrances and exits of the property.

➤ Medical Service

A medical clinic to service guest and employees should have registered nurses on a 24-hour basis and a doctor on call.

J. Service and Staff

(i). Professionally qualified, highly trained, experienced, efficient and courteous staff, should be employed.

(ii). The staff should be in smart, clean uniforms.

(iii). Adequate and well-maintained locker room and bathroom for male and female employees, including cafeteria, shall be provided.

K. Special Facilities

Business center, limousine service and transport terminal transfers should be provided.

L. Insurance Coverage

There should be an adequate insurance coverage against accident for all guests against accident with annual General Liability Insurance for guests in the amount of not less than: P250,000.00.

SECTION 19. – Requirements for a First Class Property. – The following are the minimum requirements for the establishment, operation and maintenance of a First Class Property.

A. Location

(i). The locality and environs including approaches should be suitable for a first class property or international standard.

(ii). The façade, architectural features and general construction of the building should have distinctive qualities of a first class property.

B. Bedroom Facilities and Furnishings

❖ Size

All single and double rooms should have a floor area of not less than less than 25 square meters, inclusive of bathrooms.

❖ Suites

There should be one suite per 40 guest rooms.

❖ Bathrooms

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(i) All rooms must have bathrooms which should be equipped with fittings of the highest quality befitting a first class property with 24-hour service of hot and cold running water.

(ii) Bathrooms must be provided with a bathtub, shower, toilet, hand basin, mirror and adequate lighting and ventilation, tissue paper and soap.

(iii) Floor and walls should be covered with impervious material of elegant design and high quality workmanship.

❖ Telephones

There should be a telephone in each guest room.

❖ Radio/Television

There should be a radio, a television and relayed or piped-in music in each guest room.

❖ Cold Drinking Water

There should be cold drinking water and glasses in each guest room.

❖ Room Service

There should be a 24-hour room service (including provision for snacks and light refreshments).

❖ Furnishing and Lighting

(i) All guests rooms should have an adequate furniture of the highest standard and elegant design; floors should have superior quality wall-to-wall carpeting; walls should be well-furnished with well-tailored draperies of very high quality materials.

(ii) Lighting arrangements and fixtures in the room, bedrooms and bathrooms should be so designed as to ensure aesthetic as well as functional excellence.

❖ Information Material

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

C. Front Office/Reception

There should be a reception, information counter providing a 24-hour service and attended by a highly qualified, trained and experienced staff.

❖ Lounge

There should be a lobby and a well-appointed lounge with seating facilities the size of which is commensurate with the size of the property.

❖ Porter Service

There should be a 24-hour porter service.

❖ Foreign Exchange Counter

There should be a duly licensed authorized foreign exchange counter.

❖ Mailing Facilities

Mailing facilities including sales of stamps and stationery should be available.

❖ Long Distance/Overseas Call

Long distance and overseas telephone should be available.

❖ Reception Amenities

There should be a luggage storage room and safe deposit boxes.

❖ Facsimile/Telex Facilities

There should be facsimile and telex-transceiver facilities.

D. Housekeeping

Housekeeping should be of high standard. A Vermin control program shall be regularly maintained in all areas. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed on sanitation and the regulations of the City Health Department.

➤ Linen

There should be a good supply of all linen/ blankets/towels, etc. which should be of the highest quality available and should be spotlessly clean. The linen and towels should be changed every day.

➤ Laundry/Dry Cleaning Service

Laundry and dry cleaning services should be available.

➤ Carpeting

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

E. Food and Beverage

◆ Dining Room

There should be a coffee shop and at least, one specialty dining room which are well-equipped, well-furnished and well-maintained, serving high quality cuisine and providing entertainment.

◆ Bar

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Wherever permissible by law, there should be an elegant and well-stocked bar with an atmosphere of comfort.

◆ Kitchen

(i). The kitchen, pantry and cold storage should be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic.

(ii). The kitchen should have an adequate floor area with non-slip flooring and tiled walls, vermin proof and adequate light and ventilation.

◆ Crockery

(i). The crockery should be of the best quality.

(ii). There should be adequate supply of it.

(iii). No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well plated and polished at all times.

F. Recreational Facilities

□ Swimming Pool

There must be a well-designed and properly equipped and maintained swimming pool.

□ Tennis/Golf/Squash/Gym Facilities

There should be at least one recreational facility or tie-up with one within the vicinity of the property.

G. Entertainment

Live entertainment should be provided.

H. Engineering and Maintenance

❖ Maintenance

Maintenance of all sections of the property (i.e., building, furniture, fixture, etc.) should be of very high standard.

❖ Air Conditioning

All private and public areas should be air-conditioned (except in areas which are at a minimum of 1,000 meters above sea level.)

❖ Ventilation

There should be technologically advanced, efficient and adequate ventilation in all areas of the property.

❖ Lighting

There should be adequate lighting for all public and private rooms.

❖ Emergency Power

There should 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 must conform with the requirements of the Fire Code of the Philippines.

I. General Facilities

➤ Parking/Valet

There should be adequate parking space and valet service.

➤ Function/Conference Facilities

There should be special rooms for conference/banquet purposes.

➤ Shops

There should be an accredited travel agency/tour counter, news stand, barber shop, beauty parlor, and sundries shop.

➤ Security

Adequate security on a 24-hour basis must be provided on all entrances and exits of the property.

➤ Medical Service

A medical clinic to service guest and employees should have registered nurses on a 24-hour basis and a doctor on call.

J. Service and Staff

(i). Professional qualified, trained, experienced, efficient and courteous staff, should be hired.

(ii). The staff should be in smart, clean uniforms.

(iii). Adequate and well-maintained locker room and bathroom for male and female employees, including cafeteria, shall be provided.

K. Special Facilities

Transport terminal transfers should be provided.

L. Insurance Coverage

There should be an adequate insurance coverage against accident for all guests against accident with annual General Liability Insurance for guests in the amount of not less than: P200,000.00.

SECTION 20. – Requirements for a Standard Class Property. – The following are the minimum requirements for the establishment, operation and maintenance of a Standard Class Property.

A. Location

- (i). The locality and environs including approaches should be suitable for a very good standard property.
- (ii). The architectural features and general construction of the building should be of a very good standard quality.

B. Bedroom Facilities and Furnishings

❖ Size

All single and double rooms should have a floor area of not less than less than 18 square meters, inclusive of bathrooms.

❖ Bathrooms

(i) All rooms must have bathrooms which should be equipped with fittings of good quality with 24-hour service of hot and cold running water.

(ii) Bathrooms must be provided with a shower, toilet, hand basin, mirror and adequate lighting and ventilation, tissue paper and soap.

(iii) Floor and walls should be covered with impervious material of good design and quality workmanship.

❖ Telephones

There should be a telephone in each guest room.

❖ Cold Drinking Water

There should be cold drinking water and glasses in each bedroom.

❖ Room Service

Room service should be provided at selected hours.

❖ Furnishing and Lighting

(i) All guests rooms should have furniture of very good standard and design; floors should have good quality carpets; walls should be well-furnished with tailored draperies of good materials.

(ii) Lighting arrangements and fixtures in the room and bathrooms should be well designed ensuring satisfactory functionally.

❖ Information Material

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

C. Front Office/Reception

There should be a reception, information counter providing a 24-hour service and attended by a highly qualified and experienced staff.

❖ Lounge

There should be a well-appointed lounge the size of which is commensurate with the size of the property.

❖ Porter Service

Porter service should be upon request.

❖ Foreign Exchange Counter

There should be a duly licensed authorized foreign exchange counter.

❖ Mailing Facilities

Mailing facilities including sales of stamps and stationery should be available.

❖ Long Distance/Overseas Call

Long distance and overseas telephone should be available.

❖ Reception Amenities

There should be a luggage storage room and safe deposit boxes.

❖ Facsimile/Telex Facilities

Facsimile and telex-transceiver facilities are optional.

D. Housekeeping

Housekeeping should be of good standard. A Vermin control program shall be regularly maintained in all areas. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed on sanitation and the regulations of the City Health Department.

➤ Linen

There should be an adequate supply of all linen/ blankets/towels, etc. which should be of the good quality available and should be kept clean. The linen and towels should be changed every day.

➤ Laundry/Dry Cleaning Service

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A. Location

- (i). The locality and environs including approaches should be suitable for a good property.
- (ii). The building should be well constructed and in the case of a new building, should be designed by a competent architect.

B. Bedroom Facilities and Furnishings

- ❖ Size
All single and double rooms should have a floor area of not less than less than 18 square meters, inclusive of bathrooms.
- ❖ Bathrooms
All rooms must have bathrooms which should be equipped with showers and basic fittings of modern sanitation with cold running water on a 24-hour basis and hot running water at selected hours. Tissue paper and soap is to be provided.
- ❖ Telephones
There should be a call bell in each guest room.
- ❖ Cold Drinking Water
There should be cold drinking water and glasses in each guest room.
- ❖ Room Service
Room service should be provided at selected hours.
- ❖ Furnishing and Lighting
 - (i) All guests rooms should have the basic furniture of good design; floors should be well-finished.
 - (ii) Lighting arrangements and fixtures in the room and bathrooms should be of good standard.
- ❖ Information Material
Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the property, fire exit guidelines, house rules for guests, including food and beverage outlets and hours of operation.

C. Front Office/Reception

There should be a reception, information counter providing a 24-hour service equipped with a telephone.

- ❖ Lounge
There should be a reasonably furnished lounge the size of which is commensurate with the size of the property.
- ❖ Porter Service
Porter service should be upon request.
- ❖ Mailing Facilities
Mailing facilities should be available.
- ❖ Long Distance/Overseas Call
Long distance and overseas telephone should be available upon request.
- ❖ Reception Amenities
There should be a luggage storage room and safe deposit boxes.
- ❖ Facsimile/Telex Facilities
Facsimile and telex-transceiver facilities are optional.

D. Housekeeping

The property should be kept clean and tidy. A Vermin control program shall be regularly maintained in all areas. Regular and hygienic garbage disposal system shall be maintained. Sanitation measures shall be adopted in accordance with the standards prescribed on sanitation and the regulations of the City Health Department.

- Linen
Clean, good quality linen/blankets/towels, etc. should be supplied and changed daily.
- Laundry/Dry Cleaning Service
Laundry and dry cleaning services should be available by arrangement.

E. Food and Beverage

- ◆ Dining Room
There should be, at least one equipped and maintained dining room/restaurant, serving good wholesome food.
- ◆ Kitchen
 - (i). There should be a clean, hygienic well-equipped and maintained kitchen and pantry.
 - (ii). The kitchen should have an adequate floor area with non-slip flooring and tiled walls, vermin proof and adequate light and ventilation.
- ◆ Crockery
 - (i). The crockery should be of good quality.

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(ii). No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well plated and polished at all times.

F. Engineering and Maintenance

- ❖ Maintenance
Maintenance of all sections of the property (i.e., building, furniture, fixture, etc.) should be of good standard.
- ❖ Air Conditioning
At least 50% of the rooms should be air-conditioned (except in areas which are at a minimum of 1,000 meters above sea level.)
- ❖ Ventilation
There should be technologically efficient and adequate ventilation in all rooms.
- ❖ Lighting
There should be adequate lighting for all public and private rooms.
- ❖ Emergency Power
There should be a high-powered generator capable of providing light and power in emergency cases.
- ❖ Fire Prevention Facilities
The fire prevention facilities must conform with the requirements of the Fire Code of the Philippines.

G. General Facilities

- Shops
There should be a sundries counter.
- Security
Adequate security on a 24-hour basis must be provided on all entrances and exits of the property.
- Medical Service
There must be a doctor on call.

H. Service and Staff

- (i). Staff should be trained, experienced, efficient and courteous.
- (ii). The staff should be in clean uniforms.
- (iii). Adequate and well-maintained locker room and bathroom for male and female employees shall be provided.

I. Insurance Coverage

There should be an adequate insurance coverage against accident for all guests against accident with annual General Liability Insurance for guests in the amount of not less than: P100,000.00.

SECTION 22. – Requirements for a Budget Class Property. – The following are the minimum requirements for the establishment, operation and maintenance of a Budget Class Property.

A. Location

The building should be well constructed and in the case of a new building, should be designed by a competent architect. There must be at least five (5) lettable rooms.

B. Bedroom Facilities and Furnishings

- ❖ Bathrooms
A bathroom to be used in common by guests is to be provided. There is to be at least one (1) toilet and one (1) bath/shower for every five (5) occupants in all lettable rooms.
- ❖ Telephones
There should be a telephone in the property reception area.
- ❖ Drinking Water
There should be drinking water and glasses in each guest room.
- ❖ Furnishing and Lighting
 - (i). All guests rooms should have the basic furniture. Comfortable beds commensurate with the room size are to be provided together with at least an electric fan, writing table and a closet. Floors should be well finished.
 - (ii) Adequate natural and artificial lighting and ventilation.
- ❖ Information Material
Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the property, fire exit guidelines and house rules for guests.

C. Living Room

There should be a reasonably furnished lounge or living room the size of which is commensurate with the size of the property where guests may receive visitors, watch TV or read.

D. Housekeeping

SECTION 28. – **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 objectives, and adequate security whenever there are guests.

SECTION 29. – **Medical Services.** – All resorts shall provide the 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 same. Adequate first aid medicine and necessary life-saving equipment shall be provided within the premises.

SECTION 30. – **Beach and Lakeside Resort.** – There shall be placed on a beach or lakeside resort an adequate number of buoys which shall be spread within the areas to be determined by the resort owner or keeper as safe for swimming purposes, upon compliance by resort owners with existing government regulations and/or local ordinances on the placing of such buoys.

SECTION 31. – **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 area so designated. The owner of the resort or his duly authorized representative shall be empowered, under this ordinance, to enforce the above and shall likewise designate a portion of the beach 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 32. – Precautionary Measures.

(a) In case the resort management allows swimming at the beach front beyond 10:00 PM, an appropriate notice shall be posted to inform the resort guest of the regulations.

(b) Night swimming at the pool shall be allowed only if there are adequate lifeguards on duty and when the pool premises are sufficiently lighted.

(c) Management shall post sufficient and visible signs in strategic areas in the resort or at the beach to warn guests/customers of the presence of artificial or natural hazards, danger areas or occurrences threat.

SECTION 33. – Prohibited Acts and Practices.

(a) No pets or animals shall be allowed to bath, swim along beaches, lakes, rivers or swimming pools. Likewise “pukot” fishing and washing of fishing nets shall be strictly prohibited in beach resort.

(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 resort shall be strictly prohibited. Resort owners shall keep their premises clean and shall adopt their own anti-littering measures.

CHAPTER IV

REGISTRATION AND LICENSING

SECTION 34. – **Application for Registration and License.** – Any person, partnership, corporation or other entity desiring to keep, manage or operate any building, edifice, premises or an independent part thereof, for the purpose of commercial temporary accommodation or travel agency shall accomplish in quadruplicate and file with the office of the Cebu City Tourism Commission the application form for registration and licensing prescribed for the purpose.

SECTION 35. – **Application Executed Under Oath.** – Where the application is made by a body corporate, partnership, association or other entity, it shall be signed by the person duly authorized to act for and in behalf of the applicant.

SECTION 36. – **Defective Applications.** – Failure of the applicant to properly accomplish the application forms shall be sufficient ground for its disapproval.

SECTION 37. – **Supporting Documents to be Submitted with the Application.** – Unless otherwise indicated in the form, the application shall be accompanied by four copies of the following documents:

(a) In the case of a corporation, partnership, single proprietorship, or other entity, a certified copy of their Articles of Incorporation and By-Laws, Constitution 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.

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

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

(d) List of its proprietors, 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, per value and type, (whether voting or non-voting) of the stock, with an indication of the absolute total value of the outstanding 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.

(e) Audited financial statements of the applicant, viz: profit and loss statement and balance sheets for the two preceding years, if applicant has been in operation of such period; otherwise only such financial statements during the period it has been operating.

to be satisfactory and proper shall be subject to the issuance of the corresponding certification of operation. If the property has ceased operations for at least six (6) months or its license has been revoked for one reason or another, a Certificate of Registration may only be issued if a new application for such operations is filed and found by the Commission to be satisfactory and proper. The property shall pay the registration fee only once unless the operator thereof has filed a new application for its registration after revocation of its license to operate or for ceasing operations for at least six (6) months. The license to operate shall be good and valid until December 31 of the year of its issuance and shall be renewed every year thereafter, if the operator or management so desire, and the renewed license shall be effective on the first day of January of every year of its renewal."

SECTION 54. – Registration and License Fees. – The following schedule of registration and license fees shall be collected from the applicants who have complied with the requirements.

	<u>Registration Fee</u>	<u>License Fee</u>
Deluxe Class	P10,000	P2,000
First Class	P 8,000	P1,800
Standard Class	P 5,000	P1,500
Economy Class	P 3,000	P1,000
Budget Class	P 3,000	P1,000

SECTION 55. Renewal Requirements. – An application for renewal of the license to operate shall be made on a prescribed form within the first twenty (20) days of January of each year.

SECTION 56. – Accreditation Fee. – An annual fee of Two Hundred (P200.00) Pesos shall be collected from applicants who have complied with the requirements for accreditation. This fee covers the cost of certificate issuance.

SECTION 57. – Penalty for Late Application. – Failure to apply within the period of renewal of license shall subject the applicant to an administrative fine of ONE THOUSAND (P1,000.00) PESOS; Provided, that failure to file such an application and/or comply with all the requirements for renewal within sixty working (60) days from the expiration date of the license shall be a ground for non-renewal of the same unless meritorious and valid grounds are submitted to justify such failure, in which case the renewal will only be allowed upon payment by the applicant of an administrative fine not exceeding FIVE THOUSAND (P5,000.00) PESOS."

CHAPTER V

REGULATIONS, CONTROL AND SUPERVISION OF THE OPERATION OF COMMERCIAL TEMPORARY ACCOMODATION

A. NON-TRANSFERRABILITY OF CERTIFICATE OF REGISTRATION AND LICENSE, ETC.

SECTION 58. – Transfer of Certificate of Registration and License. – No owner or operator shall transfer or alienate in any other manner the certificate of registration and license of the property without the prior approval of the Commission. The Commission shall likewise be notified of any transfer of ownership in majority interest in outstanding capital stock of a property.

SECTION 59. – Transfer Fees. – The transfer fee for the issuance of a new certificate of registration shall be for the same amount fixed under Section 54 of this ordinance for the class of property being transferred.

SECTION 60. – Display of Certificate of Registration. – The certificate of registration and license of the property shall be displayed in a conspicuous place in the public part of the property.

SECTION 61. – Signboard. – All commercial temporary accommodation property shall keep displayed in a conspicuous place outside the property a signboard showing clearly the name and style of the property.

B. GUESTS, ETC.

SECTION 62. – Guests to Register. – No person shall occupy or be permitted to occupy a room in a property, unless the personal circumstances and other particulars have been entered in the property registry book or card.

SECTION 63. – Entry of Particulars in Register or Card. – Managers, operators or their assistants shall require every guest seeking accommodation in the property, and every guest shall, furnish the following minimum particulars to be entered in the register or card.

- (a) Full name;
- (b) Particulars of number, date and place of issue of Residence Certificate, Class "A", or Driver's License, or any identity card, passport or other travel document;
- (c) The place of origin and permanent regular or known address;
- (d) The probable duration of stay and intended destination;
- (e) Occupation and place of employment;
- (f) Nationality; and
- (g) The hour and date of arrival.

SECTION 64. – Time Entry of Particulars. – Before the guest is allowed to occupy a room, the particulars prescribed in the preceding section shall be entered forthwith in the register or card by such guest, or if he is not able to write, by the property keeper, manager or clerk; and in either case, the entry shall be signed by the guest or, should he be unable to write, authenticated by his right thumb print; Provided, that in the case of group tours, the leader may accomplish such duty by attaching the list of the participants; Provided further, that in the case of families, only the head of the family shall be registered.

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SECTION 65. – Visitors Invited by Property Guests Required to be Registered. – Any visitor invited by a guest to stay in his room shall register in a separate book for visitors, in which shall be entered the name, address and other particulars of the visitor.

SECTION 66. – Minors to be Accompanied by Parent or Guardian. – No property shall accept for lodging or accommodation any person below 18 years of age unless accompanied by a parent or guardian.

SECTION 67. – Entry of Date and Time of Departure. – On the departure of the guest the property keeper/manager/operator or assistant shall record against the entry, his destination, time and date of departure.

SECTION 68. – False Entry in Property Registry Book or Card. – No manager 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 ascertained to be false.

SECTION 69. – Guest Suffering from Dangerous, Contagious and/or Infectious Disease. – The property keeper/manager or operator shall immediately report to the City Health Department any guest, tenant, or member of the staff who is found to be suffering from dangerous, contagious and/or infectious disease. Thereupon, he shall carry out all precautions and directions given by the City Health Department to prevent the spread of the disease.

SECTION 70. – Death in the Property. – The property keeper, manager or operator shall immediately report to the nearest police station the death of any person dying in the property. A copy of the report shall be transmitted forthwith to the Commission.

C. PERIODIC INSPECTION OF THE PROPERTY AND ITS IMMEDIATE PREMISES

SECTION 71. – Periodic Inspection of Properties. – When necessary and upon valid reason, the Commission shall make an inspection of properties and their immediate premises for the purpose of finding out whether they are being kept and/or managed in a manner compatible with the standard set by the Commission for the class in which it has been registered and licensed, or whether it is being kept in an unclean and unsanitary conditions or whether it is being conducted as a disorderly house. The inspections shall be conducted at a reasonable time of the day with regard and respect accorded to right to privacy of the property guests.

SECTION 72. – Access of Inspection to Records and Premises. – The inspection team shall have access to the registry book or cards, the property building and all parts thereof, the facilities for cooking and the right to interview any employees of the property and investigate any fact, conditions or matter which may be necessary to determine any violation or aid in arriving at a just and correct conclusion.

SECTION 73. – Defects and Deficiencies Found During the Inspection. Where certain defects or deficiencies have been found in the course of the inspection, the Commission shall give directions to the property keeper, manager or operator to rectify the defects of deficiencies within a period of one (1) week from notice.

SECTION 74. – Extension of the Period. – The Commission may, for good cause, extend the period within which to remedy the defects of deficiencies noted but in no case shall the period of extension granted exceed one (1) month.

SECTION 75. – Penalty for Failure to Remedy the Defects, etc. – If the property management fails to remedy the defects or deficiencies noted, the Commission shall recommend to the City Mayor the imposition on the property of an administrative fine of One Hundred (P100.00) Pesos but in no case shall the fine exceed the sum of Five Thousand (P5,000.00) Pesos; Provided that where the maximum fine imposable under this section has been reached and the property management has continued to fail to rectify the defects of the deficiencies noted, the City Mayor shall suspend the certificate of registration and license of the property for such period as may be recommended by the Commission.

D. PROHIBITED ACTS

SECTION 76. – Gambling and Disorderly Conduct. – Property keepers, manager, or operators shall exert all efforts not to allow prohibited games or gambling of any form, drunkenness, or disorderly conduct of any kind, in the property and its immediate premises.

SECTION 77. – Prostitution and Other Immoral/Illegal Activities. – Property keepers, managers or operators shall exert all possible efforts not to permit any person whom they know or have reasons to believe to be either a prostitute, a pedophile or of bad character to occupy a room in the property or to frequent the premises. To accomplish this end, they shall immediately report to the nearest police station the presence in the premises of any such undesirable person.

E. RECLASSIFICATION OF PROPERTIES

SECTION 78. – Promotion or Demotion of a Property. – A property may be promoted or demoted from one class to another as the facts may warrant.

SECTION 79. – Promotion of a Property to a Higher Class. – Any property has upgraded its facilities and services to, among others, comply with the requirements of higher class, may apply for promotion to such higher class. A team as described in Section 41 hereof shall evaluate the recommendation to the Commission.

SECTION 80. – Demotion of a Property to a Lower Class. Where after due investigation by the same inspection committee, it has been established the said property is not being kept or managed in a manner compatible with the standard set by the Commission for a property of the class in which the property is registered and granted license. The Commission shall give notice to the property keeper manager or operator of such, granting the property a period of time stated in the notice within which to comply with the standard set. If the property fails to comply within the period granted in the notice, the Commission shall remove the registration of the property from that classification and place it in a lower class.

SECTION 81. – Appeal and Stay of Order of the Commission. The property aggrieved by the demotion order may appeal to the City Mayor within five days from notice of the order. A perfected appeal shall stay the order appealed from. The appellant, if he so desires, may submit his objection together with supporting documents within five days from the perfection of his appeal in support thereof.

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SECTION 82. – Decision of the Mayor. The Mayor after the review of the record may revoke, modify or affirm the order of the Commission.

F.DISCIPLINE AND TRAINING OF PROPERTY STAFF; CODE OF ETHICS AND CONDUCT.

SECTION 83. – Liability of Property Keepers/Managers for Acts or Omissions of Employees. Without prejudice to the provision of existing laws property keeper/managers and their assistants shall administratively be liable for the acts or omissions of any member of the staff committed against any guest/client of the property. They may, however be exempt from liability if it can be established that he exercised diligence of a good supervisor in the supervision of the erring employee.

SECTION 84. – Training Program for Property Staff. – All properties shall undertake to provide a staff training program designed to acquaint each member of the staff with their respective duties and know what is expected of such employee.

TITLE IV – RESORTS

CHAPTER I

CLASSIFICATION OF RESORTS

SECTION 85. – KINDS OF RESORTS. – Resorts may be categorized as beach resort (located along the seashore); inland resort (located within the town proper or city); island resort (located in natural manmade island within the internal waters of the Philippine Archipelago); lakeside or riverside resort (located along or near the bank of a lake or river); and mountain resort (located at or near a mountain or hill).

SECTION 86. – Classes of Resorts. For purposes of registration and licensing, resorts shall be classified as follows:

- Class "AAA"
- Class "AA"
- Class "A"

SECTION 87. – Requirements for a "AAA" Class Resort. The following requirements for the operation and maintenance of a Class "AAA" Resort:

1. Location and Environment -

The resort shall be located in a suitable location free of noise, atmospheric and marine pollution.

2. Parking -

An adequate parking space with parking security shall be provided free to guests.

3. Facilities and Room Accommodation -

The resort shall have its rooms, facilities and amenities equivalent to those of a First Class Hotel.

4. Public Washrooms -

There shall be clean 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 dryer.

5. Sports and Recreational Facilities -

The resort shall offer at least four (4) sports and recreational facilities.

6. Conference/Convention Facilities -

Conference/convention facilities with attached toilets shall be provided.

6. Employee Facilities -

Adequate and well-maintained locker rooms and bathrooms for male and female employees, including cafeteria, shall be provided.

SECTION 88. Minimum Requirements for "AA" Class Resorts.

The following are the minimum requirements for the operation and maintenance of a "AA" Class Resort:

1. Location and Environment -

The resort shall be located in a suitable location free of noise, atmospheric and marine pollution.

2. Parking-

An adequate parking space with parking security shall be provided free to guests

3. Facilities and Room Accommodation -

The resort shall have its rooms, facilities and amenities equivalent to those of a First Class Hotel.

4. Public Washrooms -

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There shall be clean 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 dryer.

5. Sports and Recreational Facilities –

The resort shall offer at least three (3) sports and recreational facilities.

6. Conference/Convention Facilities–

Conference/convention facilities shall be provided.

7. Employee Facilities –

Adequate and well-maintained locker rooms and bathrooms for male and female employees shall be provided.

SECTION 89. Minimum Requirements for a "A" Class Resort –

The following requirements for the operation and maintenance of a "A" Class Resort:

1. Location and Environment –

The resort shall be located in a suitable location free of noise, atmospheric and marine pollution.

2. Parking–

An adequate parking space with parking security shall be provided free to guests.

3. Room Accommodations–

Class "A" Resort shall have its rooms, equivalent to those of an Economy Class Hotel.

4. 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.

5. Sports and Recreational Facilities–

The resort shall offer at least two (2) sports and recreational facilities.

6. Food and Beverage Outlets –

The resort shall have at least one food and beverage outlet.

CHAPTER II

OPERATION AND MANAGEMENT OF RESORTS

SECTION 90. Maintenance and Housekeeping .- Maintenance of all sections of the resort shall be of acceptable standard and shall be on a 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 on sanitation, and the regulations of the City Health Department.

SECTION 91. 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 promoting safety objectives, and adequate security whenever there are guests.

SECTION 92. Medical Services .- All resorts shall provide the 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 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 93. Fire Fighting Facilities .- Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

SECTION 94. Signboards .- Appropriate signboards shall be conspicuously displayed outside the establishment showing clearly the name and classification of the resort as determined by the Commission.

SECTION 95. Beach and Lakeside Resort .- There shall be placed on a beach or 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, upon compliance by resort owners with existing government regulations and/or local ordinances on the placing of such buoys.

SECTION 96. 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 owner of the resort or his duly authorized representative shall be empowered under this ordinance to enforce the above, and shall likewise designate a portion of the beach 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 97. Precautionary Measures .

ceased operations for at least six (6) months or if its license has been revoked for some reason or the other. The resort shall only pay the registration fee once unless it has filed for a reapplication for reasons cited above.

The license to operate the resort issued by the City Mayor shall be good and valid for a period of one (1) year from the date of issue or until the 28th of February following the year of issue, unless sooner revoked.

SECTION 106. Registration and Annual License Fees. - The following schedule of fees shall be collected from applicants that have complied with the requirements for registration and licensing of a resort:

		<u>Registration Fee</u>	<u>License Fee</u>
Class "AAA"	-----	P 5,000.00	P 2,000.00
Class "AA"	-----	3,000.00	1,000.00
Class "A"	-----	1,500.00	500.00

SECTION 107. Renewal of License. - Application for renewal of license shall start on February 1 extending up to February 28 of the year of expiry. A surcharge of fifty percent (50%) of the license fees due shall be imposed upon those who fail to file on time their application for renewal of license; Provided, that upon showing that the failure to file the application on time was due to fraud, accident or excusable neglect the delay may be excused; Provided, further, that failure to file the application for renewal without just cause may be a sufficient ground for the cancellation of the license; Provided, finally, that failure to submit all the requirements within sixty (60) days from the date of filing may be a ground for imposition of fine and/or non-renewal of license.

SECTION 108. Documents to be Submitted for the Renewal of the License. - The applications for renewal of license shall be supported by the following documents:

- (a) A copy of the amended Articles of Incorporation or Articles of Partnership and By-Laws, if applicable.
- (b) The 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;
- (d) A resolution of the board of Directors authorizing the continuation of business.

SECTION 109. Registration and Licensing of Other Services Offered by the Resort. - The registration and licensing of the resort shall include automatically all facilities and services in the resort, provided that such facilities and services are owned and operated by the resort itself.

CHAPTER IV

IMPOSITION OF FINE, SUSPENSION, CANCELLATION AND/OR NON-RENEWAL OF LICENSE

SECTION 110. Grounds for the Imposition of Fine/Suspension/Cancellation of License and/or Non-renewal of license. - Any of the following acts, omission or offenses shall be a sufficient ground for the imposition of the fine, suspension/cancellation of license and/or non-renewal of license:

- (a) Making any false declaration or statement or making use of any such declaration or statement or any document containing the same committing fraud or any act of misrepresentation for the purpose of obtaining the issuance, grant or renewal of any certificate of registration 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 a resort, as prescribed in these rules;
- (d) Serious physical injury or loss of life of any guest due to the fault or negligence of any official or employee of the resort;
- (e) Allowing or permitting the resort, including any of its facilities, to be used for illegal, immoral or illicit activities;
- (e) Violation of or non-compliance with any of the provisions of these Rules and circulars issued by the Department.

CHAPTER V

REGULATION, CONTROL AND SUPERVISION OF THE OPERATION OF RESORTS

A. TRANSFER OF CERTIFICATE OF REGISTRATION AND LICENSE, CONDITIONS, ETC.

SECTION 111. Transfer of Certificate of Registration and License: Prior Approval of the Commission Required; Prior Approval of the Commission Required. - The issuance of certificate of registration and license is a matter of privilege and may be issued only to qualified applicants. Accordingly, no resort owner or operator shall transfer or alienate in any other manner the certificate of registration and license of the resort without the prior approval of the Commission.

SECTION 112. Transfer of Ownership. - Any transfer of shares in the resort shall be reported to the Commission within ten (10) working days.

SECTION 113. Display of Certificate of Registration and License. - The certificate of registration and license shall be displayed in a conspicuous place in the resort.

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SECTION 114. Registry. - All resorts shall keep a Registry Book. All guests seeking room accommodation in the resort shall be required to register the following particulars in the Registry Book;

- (a) Full name;
- (b) Address;
- (c) Residence certificate or driver's license or passport indicating the number, date and place of issue.

B. PERIODIC INSPECTION OF THE RESORT AND ITS IMMEDIATE PREMISES.

SECTION 115. Periodic Inspection of Resorts. - The Commission shall conduct periodic inspection of determining whether they are being kept and/or managed in accordance with the standards set by the Commission for the class in which they are registered and licensed; or whether they are complying with the provisions of this ordinance.

SECTION 116. Inspection Made at Reasonable Hours of the Day. - The inspection shall be conducted at a reasonable time of the day with due regard and respect to the right of privacy of the resort guests.

SECTION 117. Access of Inspectors to Records and Premises. - The Commission or its inspection team shall have access to the resort's records and premises, and the right to copy therefrom, to question any employee and investigate any fact, condition or matter which may be necessary to determine compliance with, or in aid of the enforcement of, any provision of ordinance or circulars issued by the Commission.

SECTION 118. Defects and Deficiencies Found During the Inspection. - When certain defects or deficiencies have been found in the course of the periodic inspection, the Commission shall give directives to the resort operator or manager to rectify the defects or complete the deficiencies within a period of one (1) week from notice.

SECTION 119. Extension of the Period. - The Commission may, for just cause, extend the period within which to remedy the defects or deficiencies noted, but in no case shall such period exceed two (2) months.

SECTION 120. Penalty for Failure to Remedy the Defects, etc. - If the resort management fails to remedy the defects or deficiencies noted, the Commission shall recommend to the City Mayor the imposition on the resort an administrative fine of a minimum of Fifty (P50.00) Pesos for every day of delay in complying with its directives, but in no case shall the fine exceed the sum of Five Thousand (P5,000.00) Pesos; Provided, that where the maximum fine imposable under this Section has been reached and the resort management has continuously failed to rectify the defects or complete the deficiencies noted, the City Mayor may revoke or suspend the certificate of registration and license of the resort for such period as may be justified under the circumstances.

C. RECLASSIFICATION OF RESORTS

SECTION 121. Promotion or Demotion of a Resort. - A resort may be promoted or demoted from one classification to another as the fact may warrant.

SECTION 122. Demotion of a Resort to a Lower Classification. - Where after due investigation it has been established that a resort is not being kept or managed in a manner comfortable to the standards set by the Commission for a resort of the classification in which it is registered and licensed, the Commission shall give notice to the resort owner/keeper/manager/operator granting the resort a period of time stated in the notice within which to comply with the standards. If the resort fails to comply within the period granted, the Commission shall recommend to the City Mayor the removal of the registration of the resort from that classification and place it in a lower classification, or if warranted, exclude the same from resort classification.

**CHAPTER ____
STANDARD REQUIRMENTS FOR APARTELS**

SECTION (). Requirements for AparTEL, For purposes of licensing, the following are the minimum requirements for the establishment, operation and maintenance of an apartel:

- a. Size. – The apartel shall have at least a minimum of TWENTY FIVE (25) lettable apartments.
- b. Apartment. – Each apartment of the apartel shall be provided with living and dining area, 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. – The 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. – The toilet and bathroom shall always be clean and have adequate sanitation and running water.
- g. Bedroom. – the bedroom shall be spacious and provided with comfortable bed. There must also be provided a closet and a mirror.
- h. Linen. – The apartel shall have sufficient supply of clean linen. The linen shall be changed regularly.
- i. Ventilation. – The apartment shall be sufficiently ventilated and, if possible, each bedrooms hall be air-conditioned or provided with an electric fan. This requirement shall not be applicable in high altitude areas.

TITLE V – TRAVEL AGENCIES

CHAPTER I

APPLICATION FOR LICENSE

SECTION 123. Who May Apply for License. - The following may apply for registration and license as a travel agency:

- 1. A resident Filipino citizen;

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- 2. Partnership organized under the laws of the Philippines, at least 60% of the capital of which is owned by Filipino citizens; and
- 3. Corporation organized under the laws of the Philippines, at least 60% of its subscribed common or voting shares of stocks is owned by Filipino citizens and the composition of its Board of Directors is at least 60% Filipinos.

SECTION 124. Supporting Documents to be Submitted with the Application .- Application to operate as a travel agency shall be supported by documents to be submitted as follows:

1. In case of partnership or corporation, a copy of the Certificate of Registration with the Securities and Exchange Commission;
2. A copy of the registration of the business name if a sole proprietorship with the Bureau of Domestic Trade together with the owner's statement of assets and liabilities;
3. Two-year Projected Financial Statements to reflect among other things, a minimum working capital of P500,000.00;
4. Surety bond in the amount of P200,000.00 in the case of inbound tour operation and P500,000.00 in the case of outbound or inbound and outbound tour operations issued by a duly accredited bonding company in favor of the City of Cebu and conditioned to answer for any and all liabilities resulting from or incurred in the course of travel and tour operation in accordance with the findings and resolution of the Commission which shall be valid for a period of one (1) year from date of issuance of the license;
5. Complete list of personnel, including Tour Guides and Travel Representative, if any, together with one (1) "1 x 1" photo of each, their corresponding Personal Information Sheet and a notarized certification of the General Manager that they are without any criminal record;
6. For alien personnel, valid visa, from the Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment;
7. Contract of Lease of the office space intended for the use of the agency, WHICH OFFICE SPACE SHALL NOT BE LESS THAN FIFTY SQUARE METERS IN AREA."
8. Board of Director's resolution designating the person authorized to sign and transact business with the Department in behalf of the applicant.

For Inbound

- a) In the case of the Manager, he must be a resident of the Philippines without any pending case in any court, administrative or quasi-judicial body and with admissible proofs that he has at least three (3) years experience in tour/travel agency operations or has earned baccalaureate degree in Tourism or has satisfactorily completed a course in Tourism Agency Management.
- b) Proof that at least two (2) of the permanent staff have at least two (2) years experience in Tour/Travel Agency Operations.

For Outbound

- a) In the case of the Manager, he must be a resident of the Philippines without any pending case in any court, administrative or quasi-judicial body and with admissible proofs that he has at least three (3) years experience in tour/travel agency operations or has earned baccalaureate degree in Tourism or has satisfactorily completed a course in Travel Agency Management.
- b) The agency must employ a full time basis at least two (2) travel staff members qualified and competent to sell international air tickets and issue traffic documents. At least one (1) staff member must have completed a Basic Travel Agency Operations course. However, should only one has completed said course, the rest of the staff members must have completed a Certified Airline Ticketing course.
- c) Must install in its office one big steel vault, dual control, to hold airline ticket stocks, validator and other valuable documents."

For Inbound and Outbound Operations

The documents to be submitted for this purpose shall be the same as those herein above provided.

SECTION 125. Additional Requirements for Travel Agency Using a Motor Vehicle .- No travel agency shall use any motor vehicles while conducting tours or transporting tourist unless such motor vehicle is registered with the Commission and sporting a tourist plate.

SECTION 126. License Fee .- After compliance with all the requirements under this ordinance, a license shall be issued by the City Mayor upon recommendation of the Commission to the applicant and upon payment of a license fee of One Thousand (P1,000.00) Pesos per annum.

SECTION 127. Validity of License .- Subject to an annual review, the license duly issued shall be valid until the 31st day of December."

SECTION 128. Supporting documents to be submitted for the annual review of the license .- Travel agencies shall be required to submit the following documents not later than the 31st day of December."

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- 1. A copy of the amended Articles of Incorporation or Articles of Partnership and By-Laws, if applicable;
- 2. The list and information sheets of additional personnel, if any, or any change in the manpower complement of the agency;
- 3. Proof of renewal of surety bond, valid for one year from date of issuance of license; Provided, that, travel agencies with outbound or inbound and outbound operation shall post a surety bond of P500,000.00 whereas travel agencies with inbound operation shall post a surety bond of P200,000.00
- 4. Latest Income Tax Return and Audited Financial Statement reflecting a minimum working capital of FIVE HUNDRED THOUSAND (P500,000.00) PESOS;
- 5. In the case of inbound operation;
 - (a) An annual performance report on the sales production;
 - (b) A tariff sheet detailing services, rates, validity, terms, conditions and responsibilities shall be made available upon request.
- 6. Approved Mayor's Permit having been issued therefor."

SECTION 129. Renewal of License. – Application for the renewal of license be filed not earlier than January 1st but not later than January 20 every year. Failure to apply for renewal within said period shall subject the applicant to an administrative fine of ONE THOUSAND (P1,000.00) PESOS; Provided, that failure to file such an application and/or to comply with all requirements for renewal within sixty (60) days from the expiration date of the license shall be a ground for the non-renewal of the same unless meritorious and valid grounds are submitted to justify such failure, in which case the renewal will only be allowed upon payment by the applicant of an administrative fine not exceeding FIVE THOUSAND (P5,000.00) PESOS.

SECTION 130. Documents Required for Renewal of License .- In addition to the documents required under Sec. 129 above, the application for renewal of license shall be supported by a resolution of the Board of Directors authorizing the continuation of the Travel Agency business.

SECTION 131. Minimum Office Requirements .- The travel agency shall comply with the following office requirements:

- 1. It shall be located in a commercial district and not in a residence;
- 2. It shall be used exclusively for the travel agency business; and
- 3. It must be easily identifiable.
- 4. The office space intended for the use of the agency SHALL NOT BE LESS THAN FIFTY SQUARE METERS IN AREA."

SECTION 132. Establishment of a Branch .- Before the establishment of a branch, the travel agency shall give formal notice to and secure prior approval from the Commission. An ocular inspection of the proposed office shall forthwith be conducted by the Cebu City Tourism Commission (CCTC) licensing officers.

SECTION 133. Documents to be Submitted in Support of an Application to Establish and Operate a Branch .- The documents to be submitted by travel agencies for this purpose shall be as follows:

- 1. Resolution signed by all members of the Board of Directors approving its establishment (or authorizing its continuation, if renewal) and the person authorized to sign application;)
- 2. Affidavit executed by the General Manager of main office acknowledging the existence of said office, assuming full responsibility for its operations, and certifying that it is not managed nor operated by persons/entities other than the duly accredited employees or officers of the main office.
- 3. List of personnel and their respective designation, citizenship, home address and one 1" x 1" photo of each, together with notarized certification by the general manager of main office that they are without criminal record;
- 4. Amended Articles of Incorporation and By-Laws, if applicable;
- 5. SURETY BOND ONE HUNDRED THOUSAND (P100,000.00) PESOS with term and conditions cited in Section 124 par. 4 hereof; and"
- 6. Payment of registration fee of FIVE HUNDRED (P500.00) PESOS per branch.
- 6. Approved Mayor's Permit having been issued therefor.
- 7. Contract of Lease of the office space intended for the use of the agency, which office shall NOT BE LESS THAN FIFTY SQUARE METERS IN AREA."

SECTION 134. Access of Commission Representatives to Agency's Records .- The representative of the Commission shall have access to agency's records for verification of compliance with the requirements of the commission.

CHAPTER II

IMPOSITION OF FINE, FORFEITURE OF BOND, SUSPENSION, CANCELLATION AND/OR NON-RENEWAL OF LICENSE

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SECTION 135. Grounds for the Imposition of Fine/Forfeiture of Bond/Suspension/Cancellation of License and/or Non-Renewal of License. Any of the following acts, omission or offenses shall be a sufficient ground for the cancellation of license, non-renewal of license and/or forfeiture of bond.

1. Failure to renew the license within the period required under this ordinance or non-compliance with requirements provided under Section 130 of this ordinance;
2. Fraudulent representation, written or oral, by the chief executive officer/manager of the agency for the purpose of securing issuance of any license under these Rules;
3. Gross and evident bad faith in dealing with passengers/fraudulent solicitation of business;
4. Employment or hiring of tour guides who are not holders of a license issued by the City Mayor including working visa and work permit in the case of non-Filipino employees, whether contractual or permanent;
- 5. Opening of any branch without prior approval of the Commission; and
6. Non-settlement of account and/or non-remittance of collections due the carrier of their co-agencies, or any agency of the government or any individual within the period prescribed by law or by the Rules and Regulations and circulars of the Commission.

Section 16. Chapter II of Ordinance No. 1434 is hereby amended in order to read as follows:

SECTION 135-A. – Unlawful Acts. – It shall be unlawful for an individual engaging in the business/occupation of/as tour guides to act in any manner or under any pretext inimical to the preservation of peace and good morals or against the interest of the tourism industry.

CHAPTER III

REGULATION, CONTROL AND SUPERVISION OF THE OPERATION OF TRAVEL AGENCIES

SECTION 136. Transfer of License: Prior Approval of the Commission Required. - The license is a matter of privilege and may only be issued to qualified applicants. Accordingly, no travel agency shall transfer or alienate in whatever manner its license without prior approval from the Commission.

SECTION 137. Transfer to Pay License Fee: Responsibility. - The transferee of a license shall pay the corresponding license fee, and in addition thereto, the new operator, unless otherwise stipulated, shall not be absolved from any responsibility as to contracts, money claims, damages or other liability arising out of and in the course of the operations conducted by its predecessor.

SECTION 138. Transfer of Ownership. - Transfer of substantial rights on ownership of shares of interest therein that would culminate in the transfer of majority and controlling right shall have the prior approval of the Commission.

SECTION 139. Documents to Support Application to be Signed by the Chief Officer/Manager. - All certifications, affidavits, documents or other papers as may be required by the Commission to support application for license to engage in the business of travel agency shall be signed by the Chief Executive Officer/Manager or any person named in a Board Resolution authorized to sign the application or persons designated in its by-laws.

SECTION 140. Display of License. - The license shall be displayed in a conspicuous place in the public part of the Office of the Travel Agency.

SECTION 141. Schedule of Charges. - The Travel Agency shall file with the Commission and shall readily make available in printed or mimeographed form a schedule of charges on all services and related fees. Any change in the charges shall be communicated to the Commission within seven (7) days from such change.

SECTION 142. – Tourism Activities. – All tourism activities in Cebu City shall be handled solely by local licensed Tour and Travel Agencies. In this connection, it shall be unlawful for any individual to engage in the business/occupation of/as tour guides without having been affiliated with accredited or licensed travel agencies.

Any person/individual employed by of affiliated with license tour or travel agency shall be licensed as such by the Commission after submission of the following requirements.

- a) Proof that the application has passed a seminar for tour guides duly conducted by the Commission or other agencies duly authorized by the commission to conduct the seminar; provided, however, that this requirement may be waived by the Commission where the applicant possesses special academic or professional qualifications relevant to tourism;
- b) Certificate of good health issued by any duly accredited government physician;
- c) Police clearance from Cebu City Police Station; in the case of alien applicants, valid visa from the Bureau of Immigration, and the proper permit from the Dept. of Labor and Employment;
- d) Mayor's permit/Municipal License;
- e) Latest Income Tax Return; and
- f) Such other documents that the Commission may require from time to time.

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C. **STANDARD REQUIREMENTS FOR TOURISTS AIR TRANSPORT**

SECTION 152. Minimum Requirements. – For purposes of license, the following are the minimum requirements for the operation and maintenance of an air transport:

- a) Life-saving device – Adequate life-saving devices shall be provided in accordance with the requirements prescribed by the Air Transportation Office;
- b) Communication Equipment – Adequate communication equipment shall be provided in accordance with the requirements of the Air Transportation Office.

SECTION 153. Validity of License. – The accreditation duly issued to any tourist transport operator shall be valid for a period of one (1) year from January 1 to December 31 of each year unless sooner revoked for cause by the Commission.

TITLE VI

MISCELLANEOUS PROVISIONS

SECTION 154. Penalties for Violation. -

1. Violation by a Licensee or Holder of Authority. – Any person, whether natural or juridical, licensed by the City Mayor to engage in operation of the firms/establishment or business mentioned herein who shall violate or cause another to violate any of the provisions of this ordinance shall, upon conviction by a competent court, suffer the penalty of imprisonment of not less than six (6) months or a fine of FIVE THOUSAND (P5,000.00) PESOS or both, at the discretion of the court. In addition thereto, the license issued by the City Mayor shall be deemed automatically withdrawn and revoked.
2. Violation by a Non-Holder of Authority. – Any person who is not a holder of a license issued by the City Mayor who shall violate any of the provisions of this ordinance of circulars promulgated by the Commission shall, upon conviction by a competent court, suffer the penalty of imprisonment of not less than one (1) year, a fine of not less than TWO THOUSAND (P2,000.00) PESOS nor more than FIVE THOUSAND (P5,000.00) PESOS, or both, at the discretion of the court.
3. Penalty imposed Upon Officers of Judicial Persons. – If the offender is a corporation, partnership, firm or association, the penalty shall be imposed upon the officer or officers who have been responsible for the violation; and if such officer or officers is an alien, he/they shall, in addition, be subjected to deportation.
4. Violation by a Tour Guide. – Any individual engage in the business/occupation of/ as tour guide who shall violate any of the provisions of this ordinance when applicable shall, upon conviction by a competent court, suffer the penalty of imprisonment of NOT LESS THAN SIX (6) MONTHS OR A FINE OF NOT LESS THAN TWO THOUSAND (P2,000.00) PESOS or both, at the discretion of the court. Without prejudice to the filing of such criminal charges, the license of such erring tour guide, shall, after due investigation, be revoked.

SECTION 155. Administrative Penalties. - Without prejudice to the application of the above penal sanctions, the City Mayor may impose an administrative fine of not less than ONE THOUSAND (P1,000.00) PESOS nor more than THREE THOUSAND (P3,000.00) PESOS against any person who shall violate or cause another to violate any provision of this ordinance and circulars, or suspend or revoke the license of any such person.

SECTION 156. Separability Clause. - The provisions of this ordinance are hereby declared separable, and in the event that anyone or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 157. Repeal. - Any ordinance, rules or regulations or any parts thereof inconsistent with this ordinance are hereby repealed, amended or deemed modified.

SECTION 158. Effectivity. - This ordinance shall take effect upon its approval.

ORDINANCE NO. 1578
Minutes of Regular Session, July 31, 1995
Approved by City Mayor Alvin B. Garcia, August 11, 1995

AN ORDINANCE AMENDING SECTIONS 41, 53, 55, 124, 125, 127, 128, 129, 132, 133, 142 AND 144 OF ORDINANCE NO. 1434 ENTITLED "AN ORDINANCE ENACTING A CODE GOVERNING THE OPERATION AND ACTIVITIES OF ALL PERSONS, FIRMS, ENTITIES AND ESTABLISHMENTS THAT ENGAGE IN THE BUSINESS OF HOTELS, RESORTS AND TRAVEL AGENCIES IN THE CITY OF CEBU.

The Sangguniang Panlungsod of the City of Cebu, in a regular session assembled, hereby ordains that:

Section 1. Section 41 of Ordinance No. 1434 is hereby amended in order to read as follows:

"SECTION 41. CREATION OF A COMMITTEE OR TEAM TO INSPECT. – If the application form has been duly accomplished by the applicant, the Commission may create an inspection committee or team thus the membership of which shall be composed of the following:

- a. One representative from the Commission;
- b. One representative from the Department of Tourism;
- c. One representative from the City Health Department
- d. One Representative from the Office of the Building Official;
- e. One representative designated by the Hotel, Resort and Restaurant Association of Cebu; and

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“Section 129. **Renewal of License.** – Application for the renewal of license be filed not earlier than January 1st but not later than January 20 every year. Failure to apply for renewal within said period shall subject the applicant to an administrative fine of ONE THOUSAND (P1,000.00) PESOS; Provided, that failure to file such an application and/or to comply with all requirements for renewal within sixty (60) days from the expiration date of the license shall be a ground for the non-renewal of the same unless meritorious and valid grounds are submitted to justify such failure, in which case the renewal will only be allowed upon payment by the applicant of an administrative fine not exceeding FIVE THOUSAND (P5,000.00) PESOS.”

Section 12. Section 131 of Ordinance No. 1434 is hereby amended in order to read as follows:

“1. x x x

4. The office space intended for the use of the agency SHALL NOT BE LESS THAN FIFTY SQUARE METERS IN AREA.”

Section 13. Section 132 of Ordinance No. 1434 shall be amended in order to read as follows:

“Section 132. Establishment of a Branch. – Before the establishment of a branch, the travel agency shall give formal notice to and secure prior approval from the Commission. An ocular inspection of the proposed office shall forthwith be conducted by the Cebu City Tourism Commission (CCTC) licensing officers.”

Section 14. Section 133 of Ordinance No. 1434 shall be amended in order to read as follows:

“Section 133. SURETY BOND OF ONE HUNDRED THOUSAND (P100,000.00) PESOS with term and conditions cited in Section 124 par. 4 hereof; and”

Section 15. Section 133 of Ordinance No. 1434 shall be amended in order to read as follows:

“Section 133.

1. - - -

x x x

6. - - -

7. Approved Mayor’s Permit having been issued therefore.

8. Contract of Lease of the office space intended for the use of the agency, which office space SHALL NOT BE LESS THAN FIFTY (50) SQUARE METERS IN AREA.”

Section 16. Chapter II of Ordinance No. 1434 shall be amended by adding therein an additional provision to be known as Section 135-A to read as follows:

Section 135-A. – Unlawful Acts. – It shall be unlawful for an individual engaging in the business/occupation of/as tour guides to act in any manner or under any pretext inimical to the preservation of peace and good morals or against the interest of the tourism industry.

Section 17. Section 142 of Ordinance No. 1434 shall be amended in order to read as follows:

“Section 142. – **Tourism Activities.** All tourism activities in Cebu City shall be handled solely by local licensed Tour and Travel Agencies. In this connection, it shall be unlawful for any individual to engage in the business/occupation of/as tour guides without having been affiliated with accredited or licensed travel agencies.

Any person/individual employed by or affiliated with license tour or travel agency shall be licensed as such by the Commission after submission of the following requirements:

a.) Proof that the application has passed a seminar for tour guides duly conducted by the Commission or other agencies duly authorized by the Commission to conduct the seminar; provided, however, that this requirement may be waived by the Commission where the applicant possesses special academic or professional qualifications relevant to tourism;

b.) Certificate of good health issued by any duly accredited government physician;

c.) Police clearance from Cebu City Police Station; in the case of alien applicants, valid visa from the Bureau of Immigration, and the proper permit from the Department of Labor and Employment;

d. Mayor’s Permit/Municipal License;

e. Latest Income Tax Return; and

f. Such other documents that the Commission may require from time to time.

Upon compliance of all the preceeding requirements, a license fee and an identification Card shall be issued upon payment of ONE HUNDRED (P100.00) PESOS, and ONE HUNDRED THIRTY (P130.00) PESOS , respectively, and shall be valid for a period of one (1) year from January 1 to December 31 of each year.

Section 18. Title V of Ordinance No. 1434 shall be amended by providing therein additional chapters to be known as Chapter IV and V shall be read as follows:

“TITLE V

CHAPTER IV

TOURIST TRANSPORT OPERATIONS

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Section 144. – Application for License. – Any person, partnership or corporation desiring to operate and/or engage in the business as tourist transport operator shall accomplish in duplicate and file with the Commission the application for license prescribed for such purpose.

Section 145. Documents Required to Support Application for License to Operate as Tourist Transport Operator. The application shall be accompanied by the following documents:

- a.) Mayor's Permit
- b.) Business name Certificate and all amendments thereto, if any, in the case of single proprietorship. In the case of a corporation or partnership, a certified 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;
- c.) Proof of ownership or contract of lease over an area adequate to serve as maintained depot and garage for all its units (not applicable to water transport);
- d.) A list of names of all officials and employees and their respective designations, nationalities, home addresses, certified correct under oath by the General Manager/President; and
- e.) Surety bond of P100,000 in favor of the Commission conditioned to answer for liabilities incurred in the course of operation on the Tourist Transport Operator, and in accordance with findings and resolution of the Commission. Validity period shall be coterminous with that of the license January 1 to December 31 of each year.
- f.) Motor Vehicles Liability Insurance Policy Among TPL – P20,000 per unit, PA P12,000 per person;
- g.) Such other papers or documents as may be required from time to time by the Commission.

Section 146. Documents Required to Support Application for Registration of Vehicle, vessel of Aircraft as Tourist Transport. The application shall be supported by the following documents:

A. LAND TRANSPORT

- 1) A copy of the LTFRB certificate of franchise or authorization for tourist car/bus service;
- 2) A copy of the transportation rates as approved by the LTFRB;
- 3) 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
- 4) Such other papers or documents as may be required from time to time by the Commission.

B. WATER TRANSPORT

- 1) A copy of the Certificate of Public Convenience and Necessity Issued by the Maritime Industry Authority;
- 2) A copy of the transportation rates as approved by the Maritime Industry Authority;
- 3) Pictures of the vessel showing the side, back and front views thereof with the company's name and logo imprinted at its sides;
- 4) A copy of routes to be served and schedules;
- 5) Such other papers or documents as may be required from time to time by the Commission.

C. AIR TRANSPORT

- 1) A copy of the Certificate of Public Convenience and Necessity Issued by the Civil Aeronautics Board;
- 2) A copy of the transportation rates as approved by the Civil Aeronautics Board;
- 3) Pictures of the plane showing the side, back and front views thereof with the company's name and/or logo imprinted at its sides;
- 4) List of operations and maintenance officials and personnel with their ATO licenses;
- 5) A copy of routes to be served and flight schedules; and
- 6) Such other papers or documents as may be required from time to time by the Commission.

Section 147. License Fee. – Upon approval of the application, an annual license fee shall be collected from the applicant in the following schedule of fees per unit:

a) Bus	-	P1,000.00
b) Coaster	-	P 750.00
c) Mini-Van	-	P 500.00
d) Car	-	P 300.00
e) Vessel	-	P2,500.00
f) Aircraft	-	P2,500.00

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b) Communication Equipment - Adequate communication equipment shall be provided in accordance with the requirements of the Air Transportation Office.

Section 153. Validity of License. - The accreditation duly issued to any tourist transport operator shall be valid for a period of one (1) year from January 1 to December 31 of each year unless sooner revoked for cause by the Commission.

Section 19. Section 144 of title VI of Ordinance No. 1434 shall be amended by adding therein additional provision in order to read as follows:

4. Violation by a Tour Guide. - Any individual engage in the business/occupation of/as tour guide who shall violate any of the provisions of this ordinance when applicable shall, upon conviction by a competent court, suffer the penalty of imprisonment of NOT LESS THAN SIX (6) MONTHS OR A FINE OF NOT LESS THAN TWO THOUSAND (P2,000.00) PESOS or both, a the discretion of the court. Without prejudice to the filing of such criminal charges, the license of such erring tour guide, shall, after due investigation, be revoked.

5. Penalty for Late Application. – Failure to apply within the period of renewal of license shall subject the applicant to an administrative fine of ONE THOUSAND (P1,000.00) PESOS; Provided, that failure to file such an application and/or to comply with all the requirements for renewal within sixty (60) working days from the expiration date of the license shall be a ground for non-renewal of the same unless meritorious and valid grounds are submitted to justify such failure, in which case the renewal will only be allowed upon payment by the applicant of an administrative fine not exceeding FIVE THOUSAND (P5,000.00) PESOS.”

Section 20. Sections 144, 146, 147 and 148 under Title VI of Ordinance No. 1434 shall be amended to read as Sections 154, 156, 157, 158 and 159.

Section 21. Any ordinance or parts thereof which is/are inconsistent with the provisions of this ordinance is/are hereby amended or deemed modified accordingly.

Section 22. This ordinance shall take effect upon its approval.