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Item No.: 07
Date: APR 18 2023

Republic of the Philippines
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN
RECEIVED
31 Mar. 2023
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd Indorsement
March 28, 2023

Province of Leyte
Legal Office
Tel: [unclear]
Time: [unclear]
- 3. 28. 23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23-06 of the SB of Inopacan, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), an exercise of "Regulatory Power", a Police Power under Section 16 of the Code, incidental to the maintenance of "Tourism facilities and other Tourist Attractions", mandated to be established under Section 17 (2), (xi) of the Code.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
27 March 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-06** of the **MUNICIPALITY** of **INOPACAN, LEYTE**, entitled: AN ORDINANCE IMPOSING REGULATORY FEE FOR VISITING TOURIST BOUND FOR APID, MAHABA AND DIGYO ISLETS OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

ORD # 23-06



Republic of the Philippines
Province of Leyte
Municipality of Inopacan
-000-

15TH SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE
15th SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON
MARCH 23, 2023 AT THE SB SESSION HALL

PRESENT:

- Hon. Sanders C. Lumarda - Vice Mayor, Presiding Officer
- Hon. Fernando B. Rulete - SB Member
- Hon. Andrew B. Dedal - SB Member
- Hon. Zenaida G. de los Santos - SB Member
- Hon. Joel D. Bernales - SB Member
- Hon. Daria D. Malanguis - SB Member
- Hon. Rowena K. Madrazo - SB Member
- Hon. Diosdado P. Siao - SB Member
- Hon. Marianne B. Boldios - SB Member (PSK Pres.)

ABSENT:

- Hon. Alfie Jian B. Yamson - SB Member
- Hon. Arnilo J. Polo - SB Member (LnB Pres)

AUTHOR: HON. DIOSDADO P. SIAO
CO-AUTHORS: HON. JOEL D. BERNALES
HON. ANDREW B. DEDAL
HON. FERNANDO B. RULETE
HON. ALFIE JIAN B. YAMSON
HON. ZENAIDA G. DE LOS SANTOS
HON. DARIA D. MALANGUIS
HON. MARIANNE B. BOLDIOS

WHEREAS, amending/updating an ordinance help a Local Government Unit manage change and address topics including public safety, social equity, economic success, and more;

WHEREAS, Ordinance No. 17-05, Series of 2010 entitled "An Ordinance Regulating the Operation of Tourist Motorboat" was enacted by the 13th Sangguniang Bayan last May 24, 2017;

WHEREAS, the Local Chief Executive Hon. Rogelio D. Pua, Jr., presented to the Protected Area Management Board (PAMB), the "One Island, One Destination" scheme and was approved on February 23, 2023;

WHEREAS, there is a need to amend Ordinance No. 17-05, Series of 2010 in order to attain sustainable development and further enhance protection to the Cuatro Islas Protected Landscape and Seascape (CIPLS);



(ordinance no. 23-06 of the sangguniang bayan of inopacan, leyte dated march 23, 2023, continued)

NOW, THEREFORE, on motion of Honorable Diosdado P. Siao, duly seconded by all the Members present, be it

RESOLVED, as it is hereby **RESOLVED**, to enact the following:

ORDINANCE NO. 23-06

AN ORDINANCE IMPOSING REGULATORY FEE FOR VISITING TOURIST BOUND FOR APID, MAHABA AND DIGYO ISLETS OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

SECTION 1. This ordinance shall be known as “One Island, One Destination Regulatory Fee Ordinance”.

SECTION 2. Definition of terms – As used in this ordinance, these terms shall have the following meaning:

1. Tourist – shall mean a person who is travelling or visiting a place for pleasure.
2. Regulatory Fee – shall mean a fee imposed to individual tourist visiting one islet of the CIPLS under the jurisdiction of LGU-Inopacan.
3. CIPLS – shall mean the Cuatro Islas Protected Landscape and Seascape.
4. DENR-PAMB – shall mean the Department of Environment and Natural Resources – Protected Area Management Board.
5. LGU-Inopacan – shall mean the Local Government Unit of Inopacan.
6. Islet – shall mean any of the island of Apid, Mahaba and Digyo.

SECTION 3. Imposition of fee – There shall be collected regulatory fee for individual tourist visiting one islet of the CIPLS under the jurisdiction of LGU-Inopacan, to wit:

FEE	REGULAR (PhP)	SR. CITIZEN (PhP)	CHILDREN (7 y.o. & below)
Regulatory Fee	120.00	100.00	Free

SECTION 4. Manner of Payment- The fee imposed herein shall be paid to the Municipal Treasurer or his/her authorized representative.

SECTION 5. Penalties. The following penalties shall be imposed for violation of this ordinance:

- | | |
|--|--------------------------|
| 1 st Offense | - a fine of Php 500.00 |
| 2 nd Offense | - a fine of Php 1,000.00 |
| 3 rd and Succeeding Offense | - a fine of Php 2,500.00 |



(ordinance no. 23-06 of the sangguniang bayan of inopacan, leyte dated march 23, 2023, continued)

SECTION 6. Compromise Penalty- The Municipal Treasurer is hereby authorized to enter into a compromise settlement fee as maybe mutually agreed upon by both parties.

SECTION 7. Repealing Clause – All ordinances, resolutions, orders and/or rules and regulations inconsistent herewith are hereby repealed and modified accordingly.

SECTION 8. Separability Clause – If any section or provision of this ordinance is declared void or unconstitutional, the remaining section or provision thereof shall not be affected by such declaration.

SECTION 9. Effectivity Clause- This ordinance shall take effect after its approval.

ENACTED this 23rd day of March 2023, at Inopacan, Leyte.

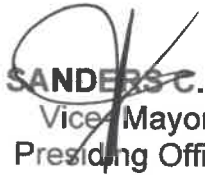
I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.


MELANIE M. MARTIN-AO, MPA
Secretary to the Sanggunian

ATTESTED:



HON. SANDERS C. LUMARDA
Vice Mayor
Presiding Officer



APPROVED:



HON. ROGELIO D. PUA, JR.
Municipal Mayor



Date 03-24-2023



Sanggunian



Regulacion





Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that right after the approval by the Municipal Mayor, copies of the Municipal Ordinances hereunder have been posted in the bulletin board in the municipal hall/building and in conspicuous place in the public terminals and the same will be posted also in all the Barangay Halls of this Municipality, to wit:

- 1) Ordinance No. 23-03, **“AN ORDINANCE PROHIBITING THE ENTRY OF VEHICLES SUCH AS TRICYCLE, MOTORCYCLE, BICYCLE, TRISIKAD, ECO-TRIKE AND THE LIKES INSIDE THE PREMISES OF THE NEW PUBLIC MARKET, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES”**
- 2) Ordinance No. 23-04, **“AN ORDINANCE ESTABLISHING A FREE PHONE CHARGING STATION IN PUBLIC PLACES WITHIN THE MUNICIPALITY OF INOPACAN, APPROPRIATING FUNDS FOR IMPLEMENTATION THEREOF AND FOR OTHER PURPOSES”**
- 3) Ordinance No. 23-05, **“AN ORDINANCE AMENDING ORDINANCE NO. 10-06, SERIES OF 2010, ENTITLED, “AN ORDINANCE REGULATING THE ESTABLISHMENT AND OPERATION OF INTERNET CAFES AND COMPUTER RENTAL SHOPS/COMPUTER GAMING SHOPS OR CENTERS IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, AND PROVIDING PENALTIES FOR VIOLATION THEREOF”**
- 4) Ordinance No. 23-06, **“AN ORDINANCE IMPOSING REGULATORY FEE FOR VISITING TOURIST BOUND FOR APID, MAHABA AND DIGYO ISLETS OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE”**
- 5) Ordinance No. 23-07, **“AN ORDINANCE AMENDING ORDINANCE NO. 17-05, ENTITLED, “AN ORDINANCE REGULATING THE OPERATION OF TOURIST MOTORBOAT” IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE”**

This Certification is being made to facilitate consideration of the above-mentioned Municipal Ordinances by the Sangguniang Panlalawigan of Leyte.

Done this 27th day of March 2023, at Inopacan, Leyte.


MELANIE M. MARTIN-AO, MPA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

CERTIFICATION OF PUBLIC HEARING


TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that on March 15, 2023, a public hearing had been conducted on the proposed Ordinances of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, to wit:

- 1) **“AN ORDINANCE PROHIBITING THE ENTRY OF VEHICLES SUCH AS TRICYCLE, MOTORCYCLE, BICYCLE, TRISIKAD, ECO-TRIKE AND THE LIKES INSIDE THE PREMISES OF THE NEW PUBLIC MARKET, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES”**
- 2) **“AN ORDINANCE AMENDING ORDINANCE NO. 10-06, SERIES OF 2010, ENTITLED, “AN ORDINANCE REGULATING THE ESTABLISHMENT AND OPERATION OF INTERNET CAFES AND COMPUTER RENTAL SHOPS/COMPUTER GAMING SHOPS OR CENTERS IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE, AND PROVIDING PENALTIES FOR VIOLATION THEREOF”**
- 3) **“AN ORDINANCE IMPOSING REGULATORY FEE FOR VISITING TOURIST BOUND FOR APID, MAHABA AND DIGYO ISLETS OF THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE”**
- 4) **“AN ORDINANCE AMENDING ORDINANCE NO. 17-05, ENTITLED, “AN ORDINANCE REGULATING THE OPERATION OF TOURIST MOTORBOAT” IN THE MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE”**

This Certification is being made to facilitate consideration of the aforementioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this 27th day of March 2023, at Inopacan, Leyte.


MELANIE M. MARTIN-AO, MPA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan
-oOo-
15th Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING OF THE PROPOSED MUNICIPAL ORDINANCE OF THE 15TH SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON MARCH 15, 2023 AT THE SB SESSION HALL, NEW TOWN HALL, INOPACAN, LEYTE

1 **PRESENT: (Please see attached Attendance Sheet, also attached are the lists**
2 **of personalities invited)**
3

4 The proposed Ordinances submitted for public hearing are the following:
5

- 6 1) **“An Ordinance Prohibiting the Entry of Vehicles such as Motorcycle,**
7 **Bicycle, Trisikad, Eco-trike, and the Likes Inside the Premises of the**
8 **New Public Market, Providing Penalties Thereof and for Other**
9 **Purposes”**
10
11 2) **“An Ordinance Amending Ordinance No. 10-06, Series of 2010, entitled**
12 **“An Ordinance Regulating the Establishment and Operation of Internet**
13 **Cafes and Computer Rental Shops/Computer Gaming Shops or Centers**
14 **in the Municipality of Inopacan, Province of Leyte, and Providing**
15 **Penalties for Violation Thereof”**
16
17 3) **“An Ordinance Amending Ordinance No.17-05 entitled, “An Ordinance**
18 **Regulating the Operation of Tourist Motorboat” in the Municipality of**
19 **Inopacan, Province of Leyte”**
20
21 4) **“An Ordinance Imposing Regulatory Fee for Visiting Tourist Bound for**
22 **Apid, Mahaba, and Digyo Islets of the Municipality of Inopacan, Province**
23 **of Leyte”**
24

25 The public hearing started at 1:45 in the afternoon with an opening prayer and
26 the singing of the national anthem synchronized with the computer audio.
27

28 The Master of Ceremony (MC), Mr. Narcis Lean N. Montajes gave an
29 overview to the participants that four (4) draft Municipal Ordinances will be
30 deliberated. He informed that joining a little later is the Municipal Mayor, Honorable
31 Rogelio D. Pua, Jr. He acknowledged as well the SB Members present, namely:
32 Honorable Joel D. Bernales, Honorable Andrew B. Dedal, Zenaida G. de los Santos,
33 Honorable Alfie Jian B. Yamson, Honorable Daria D. Malanguis, Honorable Rowena
34 K. Madrazo, Honorable Diosdado P. Siao, and Honorable Marianne B. Boldios.
35

36 Honorable Joel D. Bernales, SB Member, delivered an Introductory Message,
37 for and on behalf of the Municipal Vice Mayor/Presiding Officer, who has an equally
38 important matter to attend to. He thanked all the participants for responding to
39 Sanggunian’s invitation, to finalize the four (4) draft Ordinances, to be introduced
40 and discussed by the Authors, most especially the Ordinance imposing fees for the
41 Islets. He elaborates that no Ordinance imposing penalties shall be finalized for Final
42 Reading nor be approved, in the absence of a public hearing. Hence, all
43 concerned/involved in these Ordinances were invited to this public hearing and
44 furnished with copies of the same. He encourages all participants to open up their
45 thoughts, suggestions, and queries after the discussion of each Ordinance by the SB
46 Member-Author. Then he gave the floor to Honorable Dedal, the Author of the first
47 Ordinance.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

48 **“An Ordinance Prohibiting the Entry of Vehicles such as Motorcycle, Bicycle,**
49 **Trisikad, Eco-trike, and the Likes Inside the Premises of the New Public**
50 **Market, Providing Penalties Thereof and for Other Purposes”**
51

52 Honorable Dedal reiterates that all Ordinances that involve penalties, should
53 undergo a public hearing, to address complaints relative to fees being imposed.
54 After thanking all the participants for their presence, he then discussed the
55 provisions of the above-captioned draft Ordinance, starting off by relaying on the
56 observations at the New Public Market, where parking of vehicles had caused
57 obstructions to customers/buyers. And as to the title alone, he emphasized that entry
58 of vehicles enumerated therein is prohibited *within the premises* of the new public
59 market. He asked those representatives of each group as to their designated parking
60 areas and the latter responded affirmatively. Honorable Dedal cited that most
61 scenarios being observed are those buyers whose bicycles are being parked inside
62 the public market. Then he discussed in detail, the entirety of the draft Measure,
63 emphasizing on the penalties. After which, was the open forum, and the MC
64 reminded the participants to introduce themselves first before throwing any
65 questions.
66

67 Mr. Jimar Manabat, President of the Inopacan Tricycle Operators and Drivers
68 Association (ITODA), suggested having signages both for the designated parking
69 area/space and areas where parking is not allowed, for easy identification.
70 Honorable Dedal agreed to the suggestion and explained further that once the
71 Ordinance is being enacted, then duly approved by the Municipal Mayor, it will be
72 the Mayor to accordingly execute and strategize the implementation.
73

74 Mr. Celso E. Macuto, Chief, Traffic Enforcer, responded that two (2) Traffic
75 Enforcers lead the concerned vehicle owners to where the designated parking areas
76 are located. Honorable Dedal is not worried about the transport/passenger vehicles,
77 he is more concerned with the private vehicle owners who might not easily be
78 noticed. Mr. Macuto also informed everyone that they are also guiding those private
79 cars and the like. Honorable Dedal agreed to it, for the meantime this Ordinance is
80 still in the legislative process, to facilitate a smooth flow of all vehicles.
81

82 Honorable Bernales is grateful for the suggestions and he emphasized that
83 the Ordinance is not about parking, instead, prohibiting the entry of vehicles.
84 However, he assured that all the suggestions will be taken into consideration.
85

86 Mr. Pamfilo Piamonte, President of the Inopacan Mara-o Transport Group
87 Inc., raised the following concerns: 1) he informed the Body that they have received
88 a Notice for the transfer of tricycles' terminal to the New Public Market Terminal. He
89 suggested having particular streets for a one-way entrance and one-way exit of
90 vehicles since the road nearby the Town Hall Building is not as wide as a two-way
91 street. Honorable Bernales, mentioned the existing Ordinance, however, due to the
92 developments in the baywalk, he assured Mr. Piamonte that his suggestions will be
93 noted and referred to the Local Chief Executive, for further study so that his
94 concerns will be addressed. Honorable Siao responded to Mr. Piamonte's concern
95 by assuring him that they will study the same with the Traffic Enforcers Team and 2)
96 that loading and unloading within the town are not allowed and a penalty is imposed
97 on violators. It caused some issues for them especially when their passengers
98 wanted to be dropped off at stores within the town, hence they don't need to drop
99 their passengers at the terminal. Honorable Siao told Mr. Piamonte to refer the
100 concern to the Mayor, who sent the Notice, and the Body could not answer the
101 concern because they have no idea about it, hence, defer the same at the moment.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

102 Honorable Bernales assured Mr. Piamonte that all his concerns will be
103 forwarded to the Mayor since the Body has no information about it.
104

105 With the presence of Mayor Pua, Jr., Honorable Alma P. Bisnar, Brgy.
106 Kagawad of Can-angay, asked the question of Mr. Piamonte, earlier, regarding the
107 unloading of tricycle/habal-habal passengers at the highway. The Mayor replied in
108 affirmative. Those vehicles from the upland Brgys. can drop their
109 passengers/cargoes in the town proper, however, when passengers will be going
110 home, they have to be at the terminal, and they can pick up their cargo as well at the
111 stores.
112

113 The Mayor added that he already instructed the Municipal Treasurer to
114 prepare stickers for the *private* habal-habal, indicating that they are not for hire. To
115 this, Honorable Bernales told Hon. Bisnar to relay the Mayor's response to Mr.
116 Piamonte and the latter agreed.
117

118 **“An Ordinance Amending Ordinance No. 10-06, Series of 2010, entitled**
119 **“An Ordinance Regulating the Establishment and Operation of Internet**
120 **Cafes and Computer Rental Shops/Computer Gaming Shops or Centers**
121 **in the Municipality of Inopacan, Province of Leyte, and Providing**
122 **Penalties for Violation Thereof”**
123

124 Honorable Siao, thanked all the groups of participants as well as the Punong
125 Barangays present. As the author, he presented the draft Ordinance entitled **“An**
126 **Ordinance Amending Ordinance No. 10-06, Series of 2010, entitled “An**
127 **Ordinance Regulating the Establishment and Operation of Internet Cafes and**
128 **Computer Rental Shops/Computer Gaming Shops or Centers in the**
129 **Municipality of Inopacan, Province of Leyte, and Providing Penalties for**
130 **Violation Thereof”**. He clearly explained that said Ordinance is an amendment of
131 Ordinance No. 10-06 enacted in 2010 and he sponsored the same when there was
132 no PISO WiFi vendo/machines yet. And for years, the LGU has collected fees for the
133 business permits of PISO WiFi, in fact, one of those paying for the permit is
134 Honorable Madrazo. Honorable Siao discussed the entirety of the draft Ordinance
135 and let the BPLO, Mr. Gilbert Miranda, discuss about permits for the PISO WiFi
136 operators/owners. Mr. Miranda informed all participants and the Honorable Body that
137 currently, fees the Treasurer's Office is collecting for PISO WiFi machines is more
138 than a Thousand, especially for new ones. Then the floor has been opened for
139 questions from the participants.
140

141 Mr. Romel Austria, Jr., raised his thoughts concerning the inconsistent
142 income/proceeds of PISO WiFi entrepreneurs, hence he suggested implementing
143 uniform (same) rates for all PISO WiFi vendos so that the growing number of
144 internet operators would not matter. Honorable Siao replied that the suggestion is
145 well taken and referred them to the Municipal Treasurer for the concern. Meanwhile,
146 he reminds the owners of the Ordinance that restricts porn sites, not allowing
147 students in the internet cafes/WiFis from 7:30 AM to 5:00 PM (class hours), and
148 minors as well from 10:00 PM to 4:00 AM in connection to the curfew.
149

150 Honorable Yamson asked the PISO WiFi owners if they have such
151 control/limit from the access of porn sites and the latter answered in affirmative.
152 Honorable Siao added that online cockfighting which is illegal should be filtered as
153 well. Views and opinions were aired.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leYTE held on march 15, 2023 continued)

154 Ms. Jenny Degracia of Brgy. Tao-taon asked the Honorable Body as to the
155 effectivity of the Ordinance. Honorable Bernales explained in detail that the process
156 would undergo Third Reading, approval, then posting. He said they will be informed
157 because the Treasurer's Office will roam around purposely for the business permit.
158 Ms. Degracia asked about the breakdown of the computation concerning the annual
159 fee of Php 1,000.00 or more. The BPLO replied that everything is being reflected in
160 the Official Receipt (OR).

161
162 Mr. Arnel Degracia solicits appropriate action for those entrepreneurs from
163 the other towns (Hilongos, Ormoc) who installed fiber connections in Inopacan, for
164 he/they are affected by it since they also are installing PISO WiFi vendo machines.
165 Honorable Siao replied, they also have to secure and pay for a business permit from
166 this LGU, and it is the task of the BPLO to check it out. To this, he suggested
167 providing the list to BPLO and report those without the business permits. Honorable
168 Dedal added that the LGU has no control over those entrepreneurs for as long as
169 they are operating legal transactions and paying for their business permits. As to the
170 question of Mr. Degracia on the payment basis, the BPLO responded that referring
171 to the existing Ordinance, it is per unit but per bracket. Views and opinions were
172 aired.

173
174 As the discussion developed, Honorable Bernales clearly informed all
175 concerned that the LGU could not assure imposing the "uniform rates" since offering
176 a lower rate than competitors is what we called, a strategy. Aside from the fact that
177 some might invest much more than others. He recommends to all internet operators
178 to organize themselves into an association so that they can agree as to the "rates".
179 As Honorable Fernando B. Rulete, Jr., Punong Barangay of Maljo, having the same
180 rate eliminates the sense of competition. Honorable Madrazo explained that given
181 the same rate of PISO WiFi, the number of hours connected to the internet
182 differs/matters the most (e.g. some offer Php 10.00 for 3 hours, while others offer the
183 same rate for 5 hours). As Honorable Siao mentioned the trade secret of Honorable
184 Madrazo and the latter explained, in connection to the modular scheme during the
185 pandemic. Honorable Dedal emphasized underpricing benefits against overpricing.

186
187 **"An Ordinance Amending Ordinance No.17-05 entitled, "An Ordinance**
188 **Regulating the Operation of Tourist Motorboat" in the Municipality of**
189 **Inopacan, Province of Leyte"**
190

191 Honorable Siao, the Author, discussed in detail the entirety of the above-
192 captioned draft Ordinance, which is an amendment to Ordinance No. 17-05. Mr.
193 Cordova raised his concern if the 30 minutes waiting time is over and he/they only
194 have 3 passengers. The case is considerable for Honorable Siao, however, if it
195 reached 20 passengers, then must leave for the island. Since more tourists are
196 coming during summer, particularly. More views and opinions on motorboat capacity
197 and *pakyawan system* were discussed.

198
199 Mr. Noel Resuena, an operator of a 24 passengers-capacity motorboat,
200 brought up that per their Certificate of Public Convenience (CTC) issued by the
201 MARINA, it was specified thereof the "*pakyawan system*" and he is worried it would
202 cause conflict in case of unforeseen accidents. Honorable Bernales assured that the
203 concern is well taken and decided to consult the MARINA for this matter. *Pakyawan*
204 fees by bracket were discussed.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

205 Rev. Fr. Eufemio "Femmie" Gohetia shared his experience in Siargao, which
206 booms because of its island hopping. He said he is not so sure if the amendments to
207 "per head" has been studied and for his part, do not apply to Cuatro Islas. He cited
208 that some groups don't want to be joined by other groups. He understood the
209 purpose of the public hearing and he is into LGU's vision on economic development,
210 however, he did not agree to collect fees to increase LGU's revenue, recalling the
211 unpleasant incident years ago, relative to anomalies on the collection of fees done
212 by LGU employees, as he said. He then exits the hall because he has another
213 appointment.
214

215 Hon. Jun Rosenas, Brgy. Kagawad of Apid and a motorboat operator of the
216 18 passengers-capacity motorboat, expressed his sentiments and he is not into per-
217 head fare rates, taking into consideration the expenses incurred such as permits,
218 maintenance/repair, food, and the like, aside from they are carrying passengers
219 which is so risky for them (operators), especially when sailing against big waves.
220 Honorable Bernales presented a computation of having 18 passengers at Php
221 200.00 per head, Hon. Rosenas is worried about having children and Sr. Citizen
222 passengers which means a lesser fee. Views and opinions were aired, as Honorable
223 Bernales explained that passengers may opt to pay the capacity of motorboats
224 which is similar also to "pakyawan system". As the discussion developed, Honorable
225 Bernales elaborates further that the per-head scheme has gone through the
226 Technical Working Group (TWG) and everyone must be grateful enough that
227 operation is back. The *One Island, One Destination* set up, refrains Hindang from
228 asking for a share of the LGU income. Honorable Rosenas suggested setting a
229 minimum number of passengers then beyond the minimum, will be charged on a
230 per-head basis. The scheme in Canigao has been deliberated, in relation to
231 motorboat capacities. Pakyawan system brackets were presented as follows:

- 232 A) Ten (10) passengers and below: Php 3,500.00
233 B) Eleven (11) to twenty (15) passengers: Php 4,000.00
234 C) Sixteen (16) to twenty (20) passengers: Php 4,500.00
235 D) Twenty-one (21) passengers and above: Php 5,000.00
236

237 The Body found out that currently, motorboat operators are collecting fares
238 beyond the provisions of the existing Ordinance. Hon. Jun Rosenas explained that
239 with the tariff rates stipulated in the existing Ordinance, they were not required for a
240 license and insurance at that time, only the Mayor's Permit. As Honorable Bernales
241 told them that their rate set up violates the Ordinance, Hon. Rosenas mentioned that
242 it has been approved by the PAMB. It was then realized that it was when there has
243 been conflicts between the LGU and the PAMB, and Honorable Bernales
244 emphasized that was also the time when the LGU has not been receiving any share
245 from the income and motorboats were obliged to go to Himokilan. He also made
246 them understand that currently, the LGU, thru SB, and the DENR-PAMB is in close
247 coordination, pushed by the motorboat operators' request to bring back the usual
248 operation for the islands. The computation of Php 200.00 per head is duly
249 formulated and approved by the PAMB. As to the operator's sentiments having a
250 lower income with an individual collection scheme, Honorable Bernales then
251 encouraged them to present a computation, proving that they're going to have a
252 deficit given the Php 200.00 per head collection. Cited as an example, given the 18
253 passengers-capacity motorboat (ANDY I / engine 4D30) at Php 200.00 per head will
254 earn a total of Php 3,600.00 per trip, with the following expenses: 16 liters of diesel
255 will cost Php 1,120.00; round trip maintenance of Php 300.00; and the cost for food
256 is Php 250.00 having a total expense of Php 1,670.00. Then half of the net proceeds
257 (Php 1,930.00) in the amount of Php 965.00 will go to the owner and the other half
258 (same amount) will equally be divided among the crews.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

259 As the majority appealed for help from the Sanggunian to retain the pakyawan
260 system, Honorable Bernales assured having their computations be presented to the
261 TWG, and he preferred the presence of the Mayor at that very moment to resolve
262 the concerns raised, taking into consideration the complaints of most tourists, paying
263 higher fees compared to other islands.
264

265 Honorable Siao elaborates that the *One Island, One Destination* scheme was
266 duly approved by the PAMB. However, he still asked the concerned operators about
267 their options as to the *pakyawan system*. Mr. Ricky Cordova, and Mr. Aldimar
268 Rosenas, expressed their sentiments.
269

270 **With the presence of Honorable Rogelio D. Pua, Jr., LCE, this**
271 **Municipality**
272

273 Mayor Pua Jr. mainly discussed the *individual/per-head collection*. He
274 presented its advantages, attracting tourists to visit the islets, even in a group of four
275 (4) for instance, as well as the locals, making the tourism industry, boom. He cited
276 examples with respective motorboat capacities. With the presentation on the
277 computation of expenses per trip that has been discussed earlier, the Mayor opted
278 to exclude food expenses amounting to Php 250.00/trip. The operators expressed
279 their sentiments in times when tourists are just a few. On the contrary, the Mayor
280 looks at the positive point when they could have 2-3 roundtrips during the summer
281 season. He even cited that Canigao and Boracay implement per-head collection, so
282 why not in Inopacan. The Mayor emphasized that there will be no more island
283 hopping with the *One Island, One Destination* scheme. He further explained and
284 hoped that the concerned operators will understand the purpose, to increase the
285 number of tourists that visit the islands, for they are attracted to come back and visit
286 another islet of Inopacan since island hopping is not anymore allowed.
287

288 As Hon. Jun Rosenas reiterate once again the suggestion to set a minimum
289 number of passengers and passengers beyond the minimum, will be charged on a
290 per-head basis, because children (Php100.00) and Sr. Citizens (Php160.00) have
291 lower fees. As Honorable Bernales asked the particular number of passengers that
292 he (Hon. Rosenas) referred to as the minimum, the latter replied, 10 passengers at
293 Php 3,000.00. To this, the Mayor wonders why they're into Php 3,000.00 *pakyaw*
294 and not to Php 3,200.00 or Php 3,600.00 *per head* basis. The Mayor wanted
295 everything to be clear and let the concerned motorboat operators understand the
296 point of the LGU. That when 30 minutes waiting time is over and for instance, there
297 will be 19 out of 20 passengers (capacity), then the tourists will have to pay the
298 equivalent of 1 more passenger. He cited that they have the same plead as the
299 tricycle operators. An operator asked about having 3 or 5 passengers only after 30
300 minutes. The Mayor replied that the same question has been raised also by the
301 Governor and he replied that the tourist may opt to pay as *pakyaw* if they wanted to.
302 It depends upon the agreement between the tourists and the motorboat operators.
303 More views and opinions regarding the setting capacity and diesel requirement were
304 aired.
305

306 Honorable Pua, Jr., convinced the operators not to worry about the limited
307 number of tourists coming in because the LGU is trying its best to have more, by
308 booking scheme in accordance with the carrying capacity of the islet, set by the
309 DENR. With the high influx of tourists, travel tour agencies will be advised to book in
310 advance at the LGU to monitor the number of tourists coming in for the day. He also
311 expressed his sympathies as to the worries of the operators, however, when the
312 plan takes off, the scheme would benefit them, since the LGU sees to it that their
313 income won't be losing, and at the same time, affordable for the tourists.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

314 He encourages all operators to organize as an association so that they will agree on
315 all matters. Views and opinions were aired.
316

317 Hon. Jun Rosenas pleads to exclude the Php 100.00 per trip wharfage fee.
318 The Mayor lowered the fee to Php50.00/trip. He also informed the participants that a
319 pontoon pier (floating) will be installed on the island.
320

321 Mr. Rosenas mentioned about strike action. Honorable Bernales let them
322 understand that it is not good and the Mayor added that they should consider this
323 business sector as their livelihood at the same helps the residents of the island earn
324 an income too.
325

326 Honorable Panfila I. Alonzo, Punong Brgy. of Tinago, shared her experience
327 in comparison of the pakyawan system and per head basis, which she favors the per
328 head scheme to encourage locals and small groups of tourists to visit the islands.
329

330 The majority of the operators suggested not allowing those non-Inopacnon
331 motorboat operators to operate. The Mayor is into their sentiments as well, to help
332 Inopacnons for family living. The Mayor explained everything in detail about
333 business permits which to his part, supposedly be issued only to Inopacnons hence,
334 he encourages them to level up their motorboats to a higher capacity. Might as well
335 organize into an association so that they will be entitled to a livelihood
336 program/funding from government agencies, just like the jeepney group.
337

338 Mr. Arnold Rosenas opened up that motorboats with higher capacity entail
339 higher maintenance costs and are risky in bad weather conditions. And if they're not
340 gaining, then they may opt to stop their operation. To this, the Mayor opened up that
341 Tetrapods will be purchased, to protect their motorboats during stormy weather.
342

343 Since all the operators voted not in favor of the individual collection (per head
344 basis), and they pleaded to consider the *pakyawan system* the fact that they are still
345 recovering from the pandemic. They also presented the advantages of *pakyawan*
346 *system* particularly if the weather is not so good.
347

348 As the discussion developed, Honorable Siao summed up the sentiments of
349 the motorboat operators. The Mayor elaborates further on the purpose of the *One*
350 *Island, One Destination* scheme, as discussed earlier, to avoid conflict with Hindang
351 and so that the islets will not be abused, to retain their natural beauty. Hence, the
352 LGU exerted its full efforts to take part once again in the Tres Islas Tourism
353 activities.
354

355 All operators deal and agree regarding the opinions of Mr. Resuena, with the
356 *One Island, One Destination* scheme. Therefore, the Mayor opted to consider the
357 *pakyawan system*, however, introducing and promoting as well the individual
358 collection (per head basis). To this, Honorable Siao presented these two (2) options
359 and it has been agreed by all, that the collection will have these two (2) options:
360

Option 1 - individual collection

Window	Fee	Regular (Php)	Sr. Citizen (Php)	Children (7 y.o. & below)	Remarks
Window 1	PAMB Fees (Entrance, Maintenance, Protection)	80.00	60.00	free	
Window 2	Regulatory Fee (LGU)	120	100	free	
Window 3	Fare per pax (Boat Operators)	200	160	100	Discount rates TBD by PAMB



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

361 **Option 2 - pakyawan system** (minus Php 500.00 since there will be no island
362 hopping), to wit:

- 363 A) Ten (10) passengers and below: Php 3,000.00
364 B) Eleven (11) to twenty (15) passengers: Php 3,500.00
365 C) Sixteen (16) to twenty (20) passengers: Php 4,000.00
366 D) Twenty-one (21) passengers and above: Php 4,500.00
367

368 As to overnight concerns, the Mayor informed everyone that it will be the
369 private land/resort owners to take charge of the tourists and collect fees. LGU
370 caretakers will take charge of the tourists during the daytime only. Hence, the
371 motorboat operators' task is mainly to ferry the passengers. Views and opinions with
372 *tamakay* or *sapaway* or *pasa* scheme were aired. As to motorboat Manifest
373 concerns, the Mayor told the operators to have Manifest both on the mainland and
374 the island.
375

376 As to advance booking, the Mayor emphasized that travel tours (package)
377 had to coordinate with the LGU to identify the numbers of tourists and the
378 motorboats needed for a particular day. Moreover, the tourist must know the
379 expenses they will incur in visiting the island/s. The Mayor discussed more on the
380 advantages of per head collection, which seemed affordable to small peers/groups
381 of friends. Views and opinions on island viewing were aired.
382

383 Furthermore, the Mayor informed everyone that LGU Inopacan ties up with
384 LGU Baybay for tour packages. So from Baybay's well-known 16K Blossoms,
385 included in the tour package is the Tres Islas. Hoping that this will attract more huge
386 groups from other Regions, to conduct their trainings in Baybay City, which can cater
387 big events, hence Baybay collaborates with LGU Inopacan for the Tres Islas,
388 promoting eco-tourism in Leyte. With this set-up, the Mayor assures that the tourism
389 industry in Inopacan will boom, hence, they (motorboat operators), will benefit from
390 it. Thus, he is not worried about the per-head collection. He clearly said that while
391 the set-up is on-process, he will allow the two (2) aforementioned options. Views and
392 opinions were aired.
393

394 With the high influx of tourists, travel tour agencies will be advised to book in
395 advance at the LGU to monitor the number of tourists coming in for the day. He also
396 expressed his sympathies as to the worries of the operators, however, when the
397 plan takes off, the scheme would benefit them, since the LGU sees to it that their
398 income won't be losing, and at the same time, affordable for the tourists. He
399 encourages all operators to organize as an association so that they will agree on all
400 matters. Views and opinions were aired.
401

402 The Mayor presented the LGU target that by the year 2025-2027, residents in
403 Digyo will be relocated either to Mahaba or Apid. So that Digyo will be solely for
404 tourism, still with cottages and stores, but not as residential anymore. To preserve its
405 cleanliness and natural beauty, as a whole. Views and opinions were aired.
406

407 Toward the end, Honorable Siao summarized the agreement as follows: a)
408 that there are two options for the collection of fees, individual and pakyawan (no
409 island hopping); b) Php50.00 wharfage fee.
410

411 **“An Ordinance Imposing Regulatory Fee for Visiting Tourist Bound for**
412 **Apid, Mahaba, and Digyo Islets of the Municipality of Inopacan, Province**
413 **of Leyte”**
414

415 Mayor Pua, Jr. explained in detail starting off with presenting the previous set-
416 up when the LGU do not have a share, came the temporary closure of Inopacan as
417 entry points, until DENR-PAMB approves the LGU to have a share on the income,
418 hence, this draft Ordinance. The Mayor presented that of the Php200.00 regulatory
419 fee, Php120.00 is for the LGU while Php80.00 is for PAMB. Of the Php120.00 LGU




(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on march 15, 2023 continued)

420 share, the Php100.00 will be deposited to the Trust Fund account of the LGU for
421 relocation purposes of the affected residents, while the Php20.00 is for maintenance
422 expenses (solar lights/posts installation, etc.) among others. Given the Php200.00
423 regulatory fee plus Php200.00 individual fare, a tourist will spend a total of
424 Php400.00 (for individual collection), and the LGU is promoting this. However,
425 according to the Mayor, considering they are just recovering, he considered the two
426 (2) collection options, individual and pakyawan. When the Mayor asked them if they
427 understand the highlights of the draft Ordinances, all the participants affirmed, yes.
428

429 Mr. Resuena brought up that all of them welcome new investors (motorboat
430 operators) for as long as they are Inopacnon. The Mayor explained that it depends
431 upon who the administration is. Once again, he reiterates that they will organize an
432 association, to be able to discipline the Members (to have control over the renewal
433 of clearance). Honorable Siao recalled that previously, the ISLA (association)
434 requested 3 years moratorium (that no new investor is allowed to operate) which has
435 been granted by the SB/LGU considering they represent and being recognized as an
436 association. Mayor Pua Jr. is amenable to it and for his part, it is also a way to
437 control the number of passenger motorboats. Because there is a possibility that
438 when tourism fully booms, many motorboats are needed which entails also that they
439 will be earning less. He advised them to positively vision a sustainable future (not
440 just the current situation), as the LGU Council envisioned a boom in eco-tourism as
441 well. Views and opinions about wood and fiberglass pump boats were aired. Since
442 everybody agrees, the Mayor and the Sanggunian thanked all the participants.
443

444 Since there were no more other questions, the public hearing ended at 4:00 in
445 the afternoon.
446

447 I HEREBY CERTIFY TO THE CORRECTNESS
448 OF THE FOREGOING:

449 
450 MELANIE M. MATIN-AO, MPA
451 Secretary to the Sanggunian
452


453 NOTED:

454 
455 HON. JOEL D. BERNALES
456 SB Member / PO / Author / Co-Author
457

458
459
460 HON. ANDREW B. DEDAL
461 SB Member / Author
462

463 
464 HON. DIOSDADO P. SIAO
465 SB Member / Author
466

467 
468 HON. ZENAIDA G. DE LOS SANTOS
469 SB Member / Co-Author
470

471 
472 HON. DARIA D. MALANGUIS
473 SB Member / Co-Author
474

475 
476 HON. ALFIE JIAN B. YAMSON
477 SB Member / Co-Author

478 
479 HON. ROWENA K. MADRAZO
480 SB Member

481 
482 HON. MARIANNE B. BOLDIOS
483 SB Member / Co-Author



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15th Sangguniang Bayan

Public Hearing of the Proposed Ordinances:

1. "An Ordinance Prohibiting the Entry of Vehicles such as Tricycle, Motorcycles, Bicycle, Trisikad, Eco-Trike and the likes Inside the Premises of the New Public Market, Providing Penalties Thereof and for other Purposes"
2. "An Ordinance Amending Ordinance No. 10-06, Series of 2010, entitled, "An Ordinance Regulating the Establishment and Operation of Internet Cafes and Computer Rental Shops/Gaming Shops or Centers in the Municipality of Inopacan, Province of Leyte, and Providing Penalties for Violations Thereof"
3. "An Ordinance Amending Ordinance No. 17-05, entitled, "An Ordinance Regulating the Operation of Tourist Motorboat" in the Municipality of Inopacan, Province of Leyte"
4. "An Ordinance Imposing Regulatory Fee for Visiting Tourist Bound for Apid, Mahaba, and Digyo Islets of the Municipality of Inopacan, Province of Leyte"

Date: March 15, 2023
Place: SB Session Hall
Time: 1:00 P.M.

ATTENDANCE SHEET

NAME	DESIGNATION	SIGNATURE
1. DANIEL DEGRACIA	Maagap	
2. PAMFLO PAMONTE	Pres. Sidecar	
3. Camilo P. Baldios	Punang Brgy	
4. Amalia Q. Dedal	PP/LIBRO	
5. ALDO E. Macuto	Trappic	
6. ELMER ARDENIA	INOPDA	
7. Maria D. Malangus	SBM	
8. Juimar B. Manabat	Pres. Sidecar	
9. Buenaventura U. Delal	Punang Brgy	
10. Novelyn Dela Torre	PP/WHT	
11. Alpha N. Degracia	ISSO WHT	
12. Aldamar P. Posenas	Motorman	
13. June P. Posenas	MAN	
14. ANICETO	POSENAS	
15. ARNOLD	POSENAS POBT	
16. Marlon P. Posenas	CHINER	
17. CANDIDO RAMONTE JOY SHELTA	MOTORMAN MOTORMAN	



NAME	DESIGNATION	SIGNATURE
18 Junie P. BALEROSO		
19 LARRY L. MADRADO		
20 RUEL DEDM	HABAL 2	
21 Dionie Madano	HABAL 2A	
22 Gonzalo Cuervo	Tricycle	
23 Ronel Compendio	Piswiti Vendor	
24 Fernando B. Rute Jr.	PPB - Matjo	
25 BOBBY ROQUELAS	APID	
26 Femie Guletia	Gejet	
27 Kuzy P. Cordera	DOYANJOY	
28 OLIMPIO P. BANTE	I	
29 ELWATE LAMTAGAN	"	
30 Alma P. Pitnar	Habal 20 (Pagawad)	
31 Edzel O. Peco	Hinaboy	
32 Rolando M. Dojnon	MADRADO	
33 GELSON C. OLANTIQUE	P. B.	
34 RUFINO NUÑEZ	ESTERANZA	
35 MarieAnn Q. Aranjuez	Subanon	
36 KARL JASON PLACENCIA	TINAGO	
37 Narito Cordera	INOPACAN	
38 Vincent Sarong	INOPACAN	
39 LARNIE DELUSO	ARNILDO & TAD (WADALUPE)	
40 YANOS V. POLO		
41 SABINO N DEDAL	MADRADO BONGY CAP	
42 BAYANI R. PIAMANTE	P. BRGY. GUNSANBARAN	
43 JOEL BERNALDES	SBM	
44 GUBERT L. MINANDA	LCU	
45 ALTE JIAN DAWSON	SBM	
46 Marianne Boldida	SBM	
47 Janet Abasula	Tinago	
48 NOEL C. PERMA	DIGYD	
49 Valentin Nava	HABAL 20 DRIVER	
50 Larry Lamparan	HABAL	
51 Alecia Posales	Wifi PISO	
52 Pangila S. Ctrny	Puning Brgy.	
53 Wam Daniles	LOANUM	
54 MONTE MANK	JUYASAN	



NAME	DESIGNATION	SIGNATURE
55 ZENAITA G. DE LOS SANTOS	SPM	[Signature]
56 JIMMY DEBRACIA	PISO - WTP1 Owner	[Signature]
57 ATHELO ERIO	MENDO	[Signature]
58 GIOVANNI R. INOCENTE	DEBURSING OFFICER/MENDO OWNER	[Signature]
59 Teresita S. Figaro	Aunabay Chapter	[Signature]
60 Nembra	Sanjonia	NMB
61 Karj Maynila		[Signature]
62 PSA C. Uano	Brgy Chapter Pres. Apid	[Signature]
63 EUNA D. DUMBOY	SC PRES. MALTO	[Signature]
64 EUNA D. DUMBOY	Chapter Pres. Esperanza	[Signature]
65 PULGENCIA B. MALANCA	SC. PRES. LANSAN	[Signature]
66 Alicia Rodne	SC. Pres. Taked	[Signature]
67 Enrique C. Meridy	Member Taked	[Signature]
68 Gloria D. Torres	S.C. Cabulisan	[Signature]
69 Aida J. Aponso	S. Sabarcan	[Signature]
70 Melke R. Aragon	C.C. Pres. - MANGOCO	[Signature]
71 UYGES M. ROMERO	CAMINERO	[Signature]
72 PETRONILA C. PUENATE	SC PRES. TADTAN	[Signature]
73 KENILO ANDRADA	SP	[Signature]
74 ESTRELLA TORAL	Madacion	[Signature]
75 Fawona Madrazo	SPM	[Signature]
76 MELANIE M. MATM-AD	SB. Sec	[Signature]
77 BUSNAP, MINERVA	SB Staff	[Signature]
78 Renato L. Non	lapo	[Signature]
79 Teresita L. Gudmalin		[Signature]
80 Nestor L. Landa		[Signature]