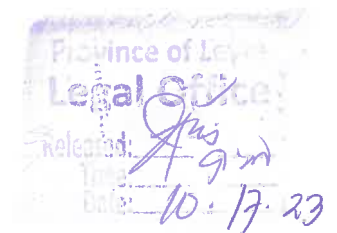


Item No.: 08  
Date: 24 2023 OCT

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**PROVINCIAL LEGAL OFFICE**



2<sup>nd</sup> INDORSEMENT  
October 12, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No.04-2023 and 05-2023 of the Sangguniang Bayan of Matalom, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447 (3)(i)(iii)<sup>i</sup> of the Code. Provided that, it doesn't run afoul of the provisions of Section 186<sup>ii</sup>.

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

<sup>i</sup> Section 447(i) and (iii) LGC - Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities;

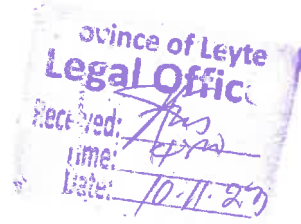
Prescribe the terms and conditions under which public utilities owned by the municipality shall be operated by the municipal government or leased to private persons or entities, preferably cooperatives;

<sup>ii</sup> Section 186 LGC- Local government units may exercise the power to levy taxes, fees or charges on any base or subject not otherwise specifically enumerated herein or taxed under the provisions of the National Internal Revenue Code, as amended, or other applicable laws: Provided, That the taxes, fees, or charges shall not be unjust, excessive, oppressive, confiscatory or contrary to declared national policy: Provided, further, That the ordinance levying such taxes, fees or charges shall not be enacted without any prior public hearing conducted for the purpose.

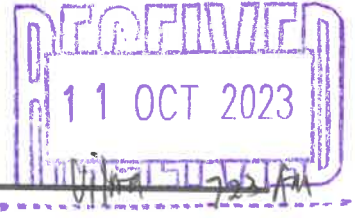


**Endorsement**  
**11 October 2023**

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 04 series of 2023 of the Municipality of Matalom, Leyte; entitled: "AN ORDINANCE REGULATING THE OPERATION OF THE LOCAL ECONOMIC ENTERPRISE IN CANIGAO ISLAND, MATALOM, LEYTE AND AUTHORIZING THE FEES AND OTHER CHARGES FOR THE USE OF FACILITIES AND OTHER STRUCTURES."**



  
**FLORINDA JIL S. UYVICO**  
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 04-2023

AN ORDINANCE REGULATING THE OPERATION OF THE LOCAL ECONOMIC ENTERPRISE IN CANIGAO ISLAND, MATALOM, LEYTE AND AUTHORIZING THE FEES AND OTHER CHARGES FOR THE USE OF FACILITIES AND OTHER STRUCTURES.

BE IT ORDAINED by the Sangguniang Bayan in regular session assembled, that:

SECTION 1. IMPOSITION OF FEES AND OTHER CHARGES. Any resident or non-resident of Matalom, Leyte, domestic or foreign tourist who enters Canigao Island and uses the facilities and other structures for picnic or for other purposes shall be collected of the following fees/charges:

- a. Entrance fees upon entering the Island Resort:  
(includes the use of comfort room and shower room)
  - Adult - 80.00
  - Child (4-11 years old) - 40.00
  - Guest on board non-passenger boats or any unauthorized sea vessel - 200.00
- b. Environmental Fee - 20.00
- c. Cottage and Room Rates (Day Use)
  - Two-Story Cottage with Attic - 1,000.00
  - Duplex Cottage (Right Side of the Island) - 800.00
  - Duplex Cottage (Left Side of the Island) - 700.00
  - Kubo Type Cottage - 700.00
  - Triangular Room - 1,000.00
  - Barkadahan Room - 2,500.00
  - Tourism Building Room - 1,500.00
- d. Cottage and Room Rates (Overnight)
  - Two-Story Cottage with Attic - 1,500.00
  - Duplex Cottage (Right Side of the Island) - 1,200.00
  - Duplex Cottage (Left Side of the Island) - 1,100.00
  - Kubo Type Cottages - 1,100.00
  - Triangular Rooms - 1,500.00
  - Barkadahan Room - 4,000.00
  - Tourism Building Room - 2,500.00
- e. Use of Function Hall - 2,500.00
- f. Reservation Fee (Non-Refundable) - 300.00
- g. Charge for the use of electricity for the first three hours - 500.00  
Succeeding hours - 100.00
- h. Charge for the use of space for Non-Commercial Disco, Live Band Disco, Wedding and other similar activities and affairs that will occupy bigger space excluding tables and chairs - 5,000.00
- i. Docking fee for Passenger Boats (per dock) - 120.00
- j. Docking fee
  - Non-Passenger Boats bringing guests - 2,500.00
  - Jetski - 1,000.00
  - Speedboat - 3,000.00
- k. Mooring Fee - 30.00
- l. Rent of one chair for use outside the cottage - 15.00
- m. Rent of one table for use outside the cottage - 75.00
- n. Rent of snorkeling equipment (per hour) - 100.00
- o. Rent of kayak with life jacket (per hour) - 300.00
- p. Rent of camping tent - 300.00
- q. Space rental for camping tent (overnight)



*(Handwritten signatures and initials)*



**OFFICE OF THE SANGGUNIANG BAYAN**

● 6 square meters and below	-	100.00
● Beyond 6 square meters but not more than 12 square meters	-	150.00
● Beyond 12 square meters	-	200.00
r. Space Rental for Private Business Owner (per sqm)	-	50.00
s. Mini-Market Monthly Rental Fee (Water & Electricity not included)	-	750.00
t. Water Consumption (per cubic meter)	-	50.00
u. Electricity Consumption (per kilowatt hour)	-	30.00

Section 2. RULES AND OTHER PROHIBITIONS IN THE ISLAND. The following rules and prohibitions shall be followed in Canigao island:

i. Peace and Order

- a. For security reasons, it is not appropriate to leave children under ten (10) years of age without adult supervision. Parents should provide their own life vests to children below four (4) years of age.
- b. Firearms and deadly weapons of any kind are strictly prohibited/restricted and shall be deposited in designated depository areas.
- c. Gambling of any form is likewise prohibited.
- d. Drunkenness, disorderly conduct of any kind or any activity using prohibited drugs in the resort and immediate premises is restricted.
- e. Avoid swimming in the designated docking area to avoid any untoward incidents.
- f. No pets are allowed in the island.

ii. Sanitation & Cleanliness

- a. Garbage must be packed out or deposited in the garbage bags provided prior to departure in the port area.
- b. No foreign objects (e.g., diapers, sanitary napkins, plastic bags, garbage) may be placed in toilet bowls. Throw them in the garbage cans.
- c. Vandalism is strictly prohibited.
- d. Guests should not urinate, defecate and spit in any area. They should use the comfort rooms which are constructed for that purpose.
- e. Smoking is only allowed in designated areas.

iii. Facilities

- a. All camping tents should be set-up in the designated area.
- b. Do not leave objects such as barbeques, chairs, tables, etc. where they can obstruct pathways and docks.
- c. Do not use washrooms for washing dishes, laundry, or cleaning fish.
- d. Avoid damaging any facilities in the island.
- e. Any person found to have caused damages to the facilities of the island shall be held liable for the full cost of its repair or replacement.

iv. Quiet Hours

- a. Excessive noise is not permitted at any time of the day.
- b. Quiet hours are from 12 m.n. to 8 a.m.
- c. Videoke and other electronic equipment should be modulated during the quiet hours.

v. Protection of Natural Resources

- a. Taking of white sands and corals from the island is not allowed.
- b. Building of fire and burning of debris are strictly prohibited.
- c. Digging sand is strictly prohibited as it can scar the landscape and negatively impact the visual appeal of the island.

Municipal Ordinance No. 04, series of 2023

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## OFFICE OF THE SANGGUNIANG BAYAN

- vi. Close Season
- a. A "No Entry Policy" for local and foreign tourists, business operators and fishermen during the first two weeks of the month of July of every year shall be implemented except for emergency reasons (such as typhoons and bad weather conditions).
  - b. Swimming, fishing, picnicking, playing in the beach front or holding various activities in the island and within the 100-meter radius from the shoreline is not allowed.
  - c. Entry of bancas within the 100-meter radius from the shoreline of the island is not allowed, except those used by authorized persons to enter the premises during the close season.
  - d. The Management of Canigao Island is mandated to:
    - Conduct an ocular inspection of the site (with the assistance of the Municipal Engineer, Planning Officer, Municipal Agriculturist) and evaluate the status of the beach front, the waters, cottages, comfort rooms, canteens, signage and other facilities including the functionality of lights, water and other utilities in the island;
    - Ensure that facilities that are out-of-order are repaired or replaced before the end of the "Close Season".
    - Ensure that no tourist, business operator or fishermen shall abound the area and within the 100-meter radius from the shoreline of the island.
    - Conduct coastal clean-up as necessary.

### SECTION 3. REGULATION OF THE OPERATION OF PASSENGER BOATS BOUND FOR CANIGAO ISLAND.

- i. All passenger boat operators shall abide with the following rules and regulations for the tourism operation in Canigao Island:
- a. Start their operation at 5:00 am up to 5:00 pm from Mondays-Sundays.
  - b. Observe the safety and orderliness of the passengers/tourists.
  - c. Comply all necessary documents, requirements and circulars from MARINA.
  - d. Secure all necessary documents required by the Local Government Unit (LGU) and the Bureau of Internal Revenue (BIR).
  - e. Renew documents before the expiry date in order to avoid interruption of operation.
  - f. Provide insurance to motorman, boat captain and crew.
  - g. Provide proper waste bins that could accommodate the garbage of the passengers.
  - h. Provide a first aid kit on board.
  - i. Supply the manifest to the LGU personnel who is in-charge with the collection of entrance fees.
  - j. Issue official receipts and assign personnel who will issue official receipts and boat tickets.
  - k. Assign personnel who will inspect the tickets upon boarding and remind passengers to wear life jackets.
- i. All crews, motorman and boat captains shall:
- a. Always be presentable, neat and clean and wear their uniforms with their respective designation printed on it.
  - b. Be polite, approachable, accommodating, respectful, responsible and kind to all passengers/tourists.
  - c. Avoid smoking during the operation.
  - d. Not operate under the influence of alcohol/drugs.
  - e. Dispose the garbage in the designated area upon docking in the port area.



**OFFICE OF THE SANGGUNIANG BAYAN**

- f. Maintain the cleanliness of the boat, and ensure that the boat engine is in good condition.
- g. Should depart after fifteen (15) minutes waiting time and once the minimum number of passengers is met (25 persons). If the assigned boat cannot depart on time, the next boat in line will take its turn.
- h. Must have at least twenty (20) liters reserve for their fuel.
- i. Shall remind their passengers to keep their boat tickets.

**SECTION 4. REGULATION OF THE OPERATION OF MARKET VENDORS IN CANIGAO ISLAND.**  
All market vendors shall abide with the following rules and regulations for the tourism operation in Canigao Island:

- a. Ensure the safety of food sold in the market.
- b. Maintain high levels of cleanliness and sanitation. This includes proper disposal of waste, regular cleaning of market stalls, and maintaining a pest-free environment.
- c. Promote recycling and responsible disposal practices.
- d. Obtain licenses or permits to operate in markets. These licenses may come with specific requirements and fees, and they can be revoked if vendors fail to comply with regulations.

**SECTION 5. PENALTY CLAUSE.** Violators of the aforementioned Rules and Prohibitions mentioned in Section 2 and 3 of this Ordinance shall be penalized as follows:

- a. First Offense - A Fine of One Thousand Pesos (₱ 1,000.00);
- b. Second Offense - A Fine of One Thousand Five Hundred Pesos (₱ 1,500.00);
- c. Third Offense - A Fine of Two Thousand Five Hundred Pesos (₱ 2,500.00) and/or revocation of permits;

**SECTION 6. SEPARABILITY CLAUSE.** Should any provision of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, those parts or provisions hereof which are not affected thereby shall be in full force.

**SECTION 7. REPEALING CLAUSE** – Any ordinance, order, memorandum, rule and regulation which is inconsistent with the provision of this Ordinance is hereby modified or repealed accordingly.

**SECTION 8. EFFECTIVITY.** This revised ordinance shall take effect immediately upon its approval and after ten (10) days of posting of the same at three (3) conspicuous places in the Municipality.

UNANIMOUSLY APPROVED: September 20, 2023

X-----X

I HEREBY CERTIFY THAT THIS IS A  
TRUE AND ACCURATE COPY OF THE ORDINANCE DULY ENACTED BY  
THE SANGGUNIANG BAYAN ON SEPTEMBER 20, 2023.

**IRISH C. GUIGUE**  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF MATALOM



**OFFICE OF THE SANGGUNIANG BAYAN**

ATTESTED:

HON. RIKRIT JAY S. PAJULIO  
Municipal Vice-Mayor/Presiding Officer

APPROVED:

HON. ERIC S. PAJULIO, D.M.D.  
Municipal Mayor  
Date of Approval: 10/14/23

HON. MARIA NICHOLINA P. CAUBE  
SB Member

HON. MARIA PAMELA P. GADO  
SB Member

HON. ALFONSO B. TAN  
SB Member

HON. LEONARD P. TAN II  
SB Member

HON. SABINO G. GERONA  
SB Member

HON. AURELIANO P. LAPASANDA  
SB Member

HON. RONALD P. GILO  
SB Member

HON. FAUSTO P. GARIN JR.  
President, LdB

HON. JOSE CHRISTOPHER P. DAÑO  
President, PPSK



*Republic of the Philippines*  
Province of Leyte  
MUNICIPALITY OF MATALOM



## **OFFICE OF THE SANGGUNIANG BAYAN SECRETARY**

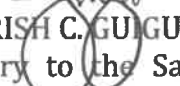
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### **CERTIFICATION**

THIS IS TO CERTIFY that Municipal Ordinance No. 04, s. 2023 entitled AN ORDINANCE REGULATING THE OPERATION OF THE LOCAL ECONOMIC ENTERPRISE IN CANIGAO ISLAND, MATALOM, LEYTE AND AUTHORIZING THE FEES AND OTHER CHARGES FOR THE USE OF FACILITIES AND OTHER STRUCTURES, has been posted in three (3) conspicuous places in the municipality and shall remain posted for three (3) consecutive weeks.

This certification is issued in compliance with the pertinent provisions of the Local Government Code of 1991.

ISSUED this 10<sup>th</sup> day of October, 2023 at Matalom, Leyte, Philippines.

  
IRISH C. GULGUE  
Secretary to the Sanggunian