



REPUBLIC OF THE PHILIPPINES
Province of Rizal
MUNICIPALITY OF CARDONA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CARDONA, RIZAL, HELD ON FEBRUARY 17, 2020 AT THE SESSION HALL, THIRD FLOOR OF THE MUNICIPAL BUILDING.

PRESENT:

HON. GIL F. PANDAC	- Municipal Vice-Mayor/ Presiding Officer
HON. KIM DEXTER SA. CANDELARIA	- Member, Sangguniang Bayan
HON. JOHN DEE L. BAUTISTA	- Member, Sangguniang Bayan
HON. AL JERROLD A. SAN JOSE	- Member, Sangguniang Bayan
HON. THOMAS P. ANSELMO	- Member, Sangguniang Bayan
HON. ARIS SJ. FRANCISCO	- Member, Sangguniang Bayan
HON. FREDERICK P. AZOTILLO	- Member, Sangguniang Bayan
HON. JESUS R. FRANCISO JR.	- Member, Sangguniang Bayan
HON. JOSE V. DIONISIO	- LnB President
HON. CLYDE DREXLER M. RIVERA	- PPSK President

ABSENT:

HON. DALE CHRISTIAN D. CRUZ	- Member, Sangguniang Bayan
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*Introduced by: Hon. Frederick P. Azotillo
Chairman Committee on Tourism, Arts and Culture*

MUNICIPAL ORDINANCE NO. 01, S. 2020

AN ORDINANCE ENACTING THE TOURISM CODE OF CARDONA, RIZAL.

WHEREAS, the Local Government Code of 1991 or RA 7160, every local government unit shall exercise the powers expressly granted, those necessarily implied therefore, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, likewise, local government unit shall exercise such other powers and discharge such other functions are necessary, appropriate or incidental to efficient and effective provision of the basic services and facilities like tourism facilities development and promotion programs;

WHEREAS, tourism development will benefit our constituents particularly in the field of livelihood, arts, culture heritage, history and ecology;

NOW, THEREFORE, BE IT ENACTED BY THE SANGGUNIANG BAYAN IN SESSION ASSEMBLED;

**ARTICLE I
THE POLICY AND OPERATING PRINCIPLES**

Section 1. Title. This Ordinance shall be known as the "Tourism Code of Cardona, Rizal"

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*certified true copy
12/01/22*

Section 2. Declaration of Policy. It is hereby declared the policy of the Municipality to pursue the sustainable development of Cardona, Rizal as a tourist haven, and for this purpose:

- a. Conserve the natural environment including its biodiversity;
- b. Response the cultural sensibilities and rights of host communities;
- c. Safeguard and preserve the integrity of cultural heritage, histories sites and natural endowments’;
- d. Educate all stakeholders, community and tourist on the principles and responsible and sustainable tourism;
- e. Alleviate poverty by ensuring the "trickle down" effect of tourism benefits to communities through community based tourism strategies;
- f. Improve quality of services to be globally competitive;
- g. Support sustainable tourism development plans;
- h. Encourage active involvement and participation of communities in tourism development;
- i. Ensure that all tourism activities, plans, etc. should reflect the positive Filipino values especially the values of maka-Diyos, makatao, makakalikasan (pro-God, pro-people, and pro-environment),
- j. Identify, develop and promote existing and potential tourism areas and tourism enterprises zones;
- k. Institutionalize and advocate a responsible culture of tourism;
- l. Promote teamwork and cooperation among stakeholders to attain common goals and objective for common good through the creation of a Municipal Tourism Council;
- m. Encourage, promote and link community - based tourism support industries to the tourism mainstream;
- n. Strengthen and support the capability of local government units in mandated tourism functions;
- o. Provide incentives and recognition to private initiative in the establishment and development of tourism - related programs, projects, activities/ events, and investments; and,
- p. Develop and factor into the tourism industry highly professionalized and trained human resource component through the concerned efforts and cooperation of both public and private sectors.

Section 3. Operating Principles. The formulation and implementation of policies, rules, regulations, instructions, and directives on tourism shall be guided by, and circumscribed within, the following operating principles:

- a. As custodian of the municipality's environment and natural resources, it is our responsibility that all development plans should strictly adhere to existing environmental laws and ordinances to ensure its sustainability for succeeding generations enjoyment;
- b. Uphold egalitarian principles and gender sensitivity including differences in sexual orientation;
- c. Respect for human rights as a cornerstone for sustainable tourism development, particularly individual rights of the most vulnerable groups, notably children, the elderly, the handicapped, ethnic minorities and indigenous people as well;
- d. Truthful and honest Marketing of tourism products and services to match specific target needs;
- e. Continuous improvement of tourism products and services to match specific target needs;

older. The age of child may be determined from the child's birth certificate, baptismal certificate or any may be based on the information from the child himself, the testimonies of other persons, the physical appearance of the child and other relevant evidence. In case of doubt as the age of the child, it shall be resolve in his favor.

Section 101. Treatment of Children below the Age of Criminals Responsibility.

If it has been determined that a child taken into custody fifteen (15) years old or below, the authority which will have an initial contact with the child has the duty to immediately release the child to the custody of his parent or guardian, or in the absence thereof, the child nearest relative. Said authority shall give notice to the MSWDO who will determine the appropriate program in consultation with the child and to the persons having custody over the child. If the parents, guardian or nearest relative cannot be located, or if they refuse to take custody, the child may be released to any of the following: a duly registered non-government or religious organizations, a Barangay Official or a member of the Barangay Council for the Protection of Children (BCPC), the MSWDO, or when where appropriate, the DSWD. If the child has been found by the MSWDO to be abandoned, neglected or abused by his parents, or in the event, that the parent will not comply with the prevention programs, the proper petition for involuntary commitment shall be filed by the DSWD or the MSWDO pursuant to presidential Decree No. 603 otherwise known as the Child and Youth Welfare Code.

Section 102. Procedure for Taking the Child into Custody.

From the moment the child is taken into custody, the enforcement officer shall:

- a. Explain to the child in simple language and in a dialect he understands why he is being placed under custody and what offense that he allegedly committed;
- b. Inform the child of the reason for such custody⁶ and advise the child of his constitutional rights in a language understood by him;
- c. Properly identify himself and present proper identification to the child;
- d. Refrain from using vulgar or profane words and from sexually harassing or abusing, or making
- e. sexual advances on the child in conflict with the law;
- f. Avoid displaying or using any firearm, weapon, handcuffs or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;
- g. Refrain from subjecting the child to greater restraint than is necessary for his apprehension;
- h. Avoid violence or unnecessary force;
- i. Determine the *age of the child*;
- b. Immediately but not later than eight (8) hours after apprehension, turn over the custody of the child to the Social Welfare and Development Office or other accredited NGO's act with a view towards counseling and rehabilitation, diversion from the criminal justice system and reparation, if appropriate;
- c. Take the child immediately to the proper medical and health officer for a thorough physical and mental examination. The examination results shall be kept confidential unless otherwise ordered by the family Court. Whenever medical treatment is required, steps shall be immediately undertaken to provide the same;

- f. Pursuit of partnership and cooperation with concerned government entities and the private sector for the improvement, security, administration and management of tourism zones/destinations;
- g. Enjoining all sectors concerned specifically the academe to work to enhance the skills and capabilities of local human resources in response to the needs of the tourism industry;
- h. Upholding the Local Government unit's autonomy in innovating and implementing tourism programs and activities in their respective areas and ensuring fair and equitable allocation of resources in project implementation and support;
- i. Ensure alignment of all tourism - related endeavors, programs and projects with the thrust and directions of the Municipal, Provincial, and Regional Tourism Master Plan, and that of the Department of Tourism;
- j. Warrant harmonization and reconciliation of program thrust of the Municipal government units; and
- k. Adoption of internationally recognized best practices acts relative to stewardship of natural resources.

ARTICLE II COVERAGE, SCOPE, DEFINITION OF TERMS

Section 4. Coverage. This code shall govern all tourism-related matters within the territorial jurisdiction of Municipality of Cardona, Rizal, its units and political subdivisions.

Section 5. Scope. The provision of this Code shall apply to the whole municipality, non-government organizations, business and establishments for tourism, persons, whether natural or juridical, directly or indirectly involved in the tourism industry, Local conditions and peculiarities obtaining, the provisions of Executive Order No. 120 in relation to Republic Act No. 7160 as well as such other relevant and applicable laws, rules and regulations issued by the national government and the Department of Tourism shall guide this Code.

Section 6. Definition of Terms. In addition to the terms and phrases duly defined by the Department of Tourism in its several issuances of rules and regulations governing the accreditation of specific tourism establishments and facilities, which definitions are hereby adopted, the following are given their meaning in this Ordinance:

- a. Accreditation - a certification issued by the appropriate government agency that the holder is recognized as having complied with the minimum standards required by the Council and the Department of Tourism (DOT) in the operation of establishments and facilities concerned
- b. Capital Resources - refers to availability of capital/ financing, transportation, roads, harbors and marinas, trails and walkways, water, power, waste treatment and communications.
- c. Cultural Resources - this includes historic building, sites, monuments, shrines, cuisine. Ethnic cultures, industry, government, religion, anthropological resources and local celebrities.
- d. Human Resources Infrastructure - these include the warm bodies in the tourism industry - the people operating the various establishments and facilities, the local population whose lives are intertwined with the development of tourism zones in their area; the tourists whose equality of lives are enriched and enhanced by the beauty, the history and the culture of their destinations.
- e. Human Resources - include hospitality skills, management skills, seasonal labor force, performing artist (music, drama, etc.), storytellers, craftsmen

and artisans, other labor skills from chefs to lawyers to researchers, and local population.

- f. Law and Regulatory Infrastructure - this component refers to the rules of order necessary to manage and control the tourism industry. These are put in place to protect the industry and the people who are the very reason for the industry - the tourist, the services and amenities providers, and the local population. With laws and regulatory measures, the relationships of tourist and their hosts thus become more harmonious and fulfilling.
- g. Natural Resources - these refers to climate - seasons, water resources (Lakes, streams, waterfalls), flora (forest, flowers, shrubs, wild edibles), fauna (fish and wildlife), geological resources (topography, soils, sand dunes, caves, rocks and minerals, fossils) and scenery.
- h. Physical infrastructure - shall include, but not limited to, roads, bridges, administration building, toilets and comfort room facilities, parking areas, rest areas, forest tracks, walkways, viewing platforms, cottages, wharves, boat landing facilities, solid and liquid waste facilities, security and service facilities, and communication centers.
- i. Potential Tourist Properties - these refer to sites and attractions not yet developed including but not limited to lakes, waterfalls, volcanic rock formation, caves, islands and rainforest.
- j. Sustainable Tourist Development - means tourism development that leads to management of all resources in such a way that economic, social and aesthetic need can be fulfilled, while maintaining cultural integrity, essential ecological process, and biological diversity and life support systems.
- k. Tourism - a major municipal activity in which private sector investment, effort and initiative are encouraged, fostered and supported and through which socio-economic development may be accelerated and appreciation of the municipality's natural beauty, history and culture appreciated with greater pride and commitment.
- l. Tourism Industry - refers to industries or business enterprises providing goods and services to tourist and all types of travelers while they stay, travel, visit and enjoy the facilities and destinations.
- m. Tourism Infrastructures - have three major components, namely; physical, human resources and legal regulatory.
- n. Tourism Resources - refers to natural, cultural, human, or capital resources that either are being used or can be utilized to attract or serve tourists.

ARTICLE III THE TOURISM INFRASTRUCTURES

Section 7. Physical Infrastructure. The Municipality and private stakeholders shall promote and encourage the construction of tourism - related establishments and facilities either through public or private funding, or both, in their areas of jurisdiction. Towards this end, local government shall:

- a. Enhance connectivity of tourist destination through construction and expansion of adequate road networks and terminals, as well as lake ports, for passengers and cargo;
- b. Enhance the provision of basic through expansion or upgrading based on long - term studies and carrying capacity of a tourist destination;
- c. Implement an integrated solid waste and sewerage management system in tourist destination and tourism investment zone, that is adequate functioning, and in compliance with existing laws and ordinances on environment;

3. *The period of prescription of the offense shall be suspended during the effectivity of the diversion program, but not to exceed a period of two (2) years.*

Section 108. Factors in Determining Diversion Programs.

In determining whether the diversion is appropriate and desirable, the following factors shall be taken into consideration.

1. *The nature and circumstance of the offense charge;*
2. *The frequency and severity of the act;*
3. *The circumstances of the child (e.g., age, maturity, intelligence, etc.)*
4. *The influence of the family and environment on the growth of the child;*
5. *The reparation of injury to the victim;*
6. *The weight of evidence against the child offenders;*
7. *The safety of the community; and*
8. *The best interest of the child*

Section 109. Formulation of the Diversion Program.

In formulating a diversion program, the individual characteristics and the peculiar circumstances of the child in conflict with the law shall be used to formulate an individualized treatment. The following factors shall be considered:

1. *The parent's or legal guardian's ability to guide and supervise the child;*
2. *The victim's view about the propriety of the measures to imposed; and*
3. *The availability of community-based programs for rehabilitation and reintegration of the child.*

Section 110. Kinds of Diversion Programs.

The diversion programs shall include adequate socio-cultural and psychological responses and services for the child. At different stages where diversion may be resorted to, the following diversion programs may be agreed upon, such as, but not limited to:

A. At the level of the MCPC/BCPC:

1. *Restitution of property;*
2. *Reparation of the damaged caused;*
3. *Indemnification for consequential damages;*
4. *Written or oral apology;*
5. *Care, guidance and supervision orders;*
6. *Counseling for the child and his family;*
7. *Attendance in trainings, seminars and lectures such as:*
 - a. *Anger management skills*
 - b. *Problem solving and conflict resolution skills;*
 - c. *Values formation; and,*
 - d. *Other skills which will aid the child in dealing with situations that can lead to the repetition of the same offense.*
8. *Participating in community-based programs including community service; or,*
9. *Participation in education, vocation and life skills programs.*

B. At the Level of the Law Enforcement Officer and the Prosecutor:

1. *Investigation, confiscation and forfeiture of the proceeds or instruments of crime.*

C. At the Level of the Appropriate Court:

1. *Diversion programs specified;*
2. *Written or oral reprimand or citation;*
3. *Fine;*
4. *Payment of the cost of the proceedings; or*
5. *Institutional care and custody*

- b. *Employment of abusive, coercive and punitive measures such as stripping, cursing, beating, and solitary confinement;*
- c. *Employment of degrading, inhuman and cruel forms of punishment such as shaving the head, pouring irritating, corrosive or harmful substances over the body of the child or forcing him the child to walk around the community wearing signs which embarrass, humiliate, and degrading his personality and dignity; and,*
- d. *Compelling the child to perform involuntary servitude in any and all forms under any and all instances.*

Section 106. Diversion Program.

Children in conflict with the law may undergo child appropriate process or measures of serving responsibility for an alleged offense without undergoing formal court litigation. If they are found responsible for an offense they shall be referred to special programs of reformation under the following conditions:

- a. Where the imposable penalty for the crime committed is not more than six (6) years imprisonment, the law enforcement officer or Punong Barangay with the assistance of the MSWDO or other responsible person shall conduct mediation, family conferencing and conciliation and, where appropriate, adopt indigenous mode of conflict resolution in accordance with the best interest of the child with a view of accomplishing the objective of restorative justice and the formulation of a diversion program. The child and his family shall be present in these activities.
- b. In victimless crimes where the imposable penalty is not more than six (6) years imprisonment, the MSWDO shall meet the child and his parents or guardians for the development of the appropriate diversion and rehabilitation program, in coordination with Barangay Council for the Protection of Children (BCPC).
- c. Where the imposable penalty for the crime committed exceeds six (6) years imprisonment, diversion measures may be resorted to only by the court.

Section 107. Contract of Diversion.

If during the conferencing, mediation or conciliation, the child voluntary admits the commission of the act, a diversion program shall be developed when appropriate and desirable. Such admission shall not be used against the child in any subsequent judicial, quasi-judicial or administrative proceedings. The diversion program shall be effective and binding if accepted by the parties concerned. The acceptance shall be in writing and signed by the parties' concerned and appropriate authorities.

The MSWDO shall supervise the implementation of the diversion program. The diversion proceedings shall be completed within forty five (45) days. The period of prescription of the offense shall be suspended until the completion of the diversion proceedings but not to exceed 45 days.

1. *The child shall present himself to the competent authorities that imposed the diversion program at least once a month for reporting and evaluation of the effectiveness of the program and the conduct of the child.*
2. *Failure to comply with the terms and conditions of the contract of diversion, as certified by the MSWDO, shall give the offended party the option to institute the appropriate legal action.*

- d. Sustain the implementation and enhancement of tourism - related infrastructures such as accommodation facilities including shopping centers, health care centers, emergency and safety facilities, recreation and safety facilities;
- e. Improve transport facilities through strict implementation and monitoring of environmental laws, rules and regulations;
- f. Sustain the potable water sources and systems in the protection, rehabilitation and management of watershed areas municipal wide;
- g. Engage in the development of watersheds and other potential alternative resources for power generation;
- h. Pursue a unified effort and institutionalize the proper solid waste management practices;
- i. Create a web portal for the municipality linking all the pertinent departments;
- j. Identify and facilitate assessment as to the potential tourist site for tourism investment zone;
- k. Encourage active community - based tourism endeavors/ undertakings;
- l. Ensure compliance to the prescribed and appropriate standard guidelines for the existing and new tourism- related establishments;
- m. Encourage the establishment of one - stop -shops showcasing best products complementing each others;
- n. Build new and upgrade existing facilities, manpower component and capacity and capability building for health care services, emergency responses and safety of the tourist and local residents;
- o. Diversity wholesome recreational activities and entertainment; and
- p. Encourage the use of thematic design that reflects Cardonians culture and heritage.

Section 8. Human Resources Infrastructure. Tourism is recognized to be a major factor in income and employment generation of the Municipality of Cardona, Rizal. Every Barangay is therefore strongly encouraged to create a barangay tourism office with qualified manpower component and sufficient budgetary allocation for its operations.

Tourism programs shall be generated towards the fulfillment of the needs of the key players and stakeholders of the tourism industry. Towards this end, both local government and private investors in tourism shall join hands to:

- a. Provide financial and technical support for the professionalization of services and skills of tourism industry workers;
- b. Organize and train a team of local trainers to capacitate and improve delivery of services of tourism front liners such as tourism officers, transport operators, tour guides, drivers, boatmen, porters, and the like;
- c. The Municipal Tourism Office in coordination with the Municipal Tourism Council and the Department of Tourism shall implement a certification and accreditation system to regulate the quality of service and skills provided by front liners and other tourism industry workers;
- d. Coordinate with concerned government agencies in monitoring and evaluate certified and accredited tourism industry workers annually which will be the basis of renewal or revocation of certification and accreditation;
- e. Incorporate the culture of tourism and values information in all levels of education starting with the elementary or primary level;
- f. Advocate the culture of tourism at all levels;
- g. Ensure that tourism front liners are well-trained and qualified, provided with incentives and rewards, organized and federated based on their work affiliations; and,
- h. Implement guidelines, rules, regulations through appropriate local government agencies in accordance with DOT standards for the construction of appropriate and adequate accommodation facilities including shopping centers, health care

- d. Ensure that should detention of the child in conflict with the law is necessary, the child shall be secured in quarters separate from that of the opposite sex and adult offenders;
- e. Record the following in the initial investigation:
- f. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such;
- g. That the parent or guardian of a child, the DSWD, and the PAO have already been
- h. The exhaustion of measures to determine the age of a child and the precise details of the physical and medical examination or the failure to submit a child to such examination.
- i. Ensure that all statements signed by the child during investigation shall **be witnessed by the child's parents or guardian, social worker, or legal counsel in attendance who shall affix his signature to the said statement.**
- j. A child in conflict with the law shall only be searched by a law enforcement officer of the same gender and shall not be locked up in a detention cell.

Section 103. Confidentiality of Records and Proceedings.

The component authorities shall undertake all measures to protect the confidentiality of proceedings, including non-disclosure to protect the confidentiality of proceedings, including non-disclosure of records to the media, maintaining a separate police blotter for cases involving children and adopting a system of coding to conceal material information which will lead to the child's identity. Records of the child in conflict with the law shall not be used in subsequent proceedings for cases involving the same offender as an adult, except when beneficial for the offender and upon his written consent. Identity as precedent in solving similar cases in the future. Where a youthful offender has been charged and the court acquits him, or dismisses the case or commits him to an institution and subsequently releases him, pursuant to PD 603, all the records of his case shall be destroyed immediately after such acquittal, dismissal or release, unless civil liability has also been imposed in the criminal action, in which case such records shall be destroyed after satisfaction of such civil liability. The youthful offenders concerned shall not be held under any provision of law, to be guilty of perjury or concealment or misrepresentation by reason of his failure to acknowledge the case or recite any fact related thereto in response to any inquiry made of him for any purpose.

"Records" within the meaning of this article shall include those which may be in the files of the National Bureau of Investigation and with any police department, or any other government agency which may have been involved in the case.

Section 104. Prohibition Against Labeling and Shaming.

In the conduct of the proceedings beginning from the initial contact with the child, the competent authorities must refrain from branding or labeling children as young criminals, juvenile delinquents, prostitutes or attaching to them in any manner any other derogatory name. Likewise, no discriminatory remarks shall be allowed particularly with respect to the child's race or ethnic origin.

Section 105. Other Prohibited Acts Against Young Offenders.

The following and any other similar acts shall be considered prejudicial and detrimental to the psychological, emotional, social, spiritual, moral and physical health and well-being of the child in conflict with the law and therefore prohibited:

- a. *Employment of threats of whatever kind of nature;*

3. *The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;*
4. *The right to be treated with humanity and with respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person his age. In particular, a child deprive of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He shall be conveyed separately to or from court. He shall await the law shall have the right to maintain contact with his family through correspondence and visits, save in exceptional circumstances;*
5. *The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his liberty before a court or other competent on such action;*
6. *The right to bail and recognizance, in appropriate cases;*
7. *The right to testify as a witness in his own behalf under the rule on examination of a child witness;*
8. *The right to have his privacy respected fully at all stages of the proceeding;*
9. *The right to diversion if he is qualified and voluntarily avails of the same;*
10. *The right to be imposed a judgment in proportion to the gravity of the offence where his best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principal restorative justice;*
11. *The right to have restrictions on his personal liberty limited to the minimum, and where the discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of the being preferred as the more appropriate penalty;*
12. *The rights of the victim and the needs of society are all taken into consideration by the court, under the principal restorative justice;*
13. *In general, the right to automatic suspension of sentence;*
14. *The right to probation as an alternative to imprisonment, if qualified under the Probation law.*
15. *The right to be free from liability for perjury, concealment or misrepresentation; and,*
16. *Other rights as provided for under existing laws, rule and regulations.*

Section 99. Minimum Age of Criminal Responsibility.

A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempted from criminal liability. However, he shall be subjected to an appropriate Intervention Program for self reformation.

A Child above fifteen years of age but below eighteen years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with the provisions of RA 9344.

The exemption from criminal liability herein established does not include exemption from civil liability which shall be enforced in accordance with existing laws.

Section 100. Determination of Age.

The child in conflict with the law shall enjoy the presumption of his minority. He shall all the rights of a child in conflict with the law until proven to be eighteen (18) years old or

centers, emergency and safety facilities, recreation and entertainment and restaurants conforming to unified design.

Section 9. Legal and Regulatory Infrastructure.

- a. The tourism industry is governed by national and local laws as well as rules and regulations issued by the administrative bodies pursuant thereto. Local government unit shall issue rules, regulations and directives on tourism pursuant to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.
- b. No foreign tour guides/escorts shall be allowed under this Code except when there are no available local tours guides/escorts speaking the language of a particular foreign tourist market, in which case travel/tour organizers shall be required to hire accredited local tour guides as understudy.

ARTICLE IV

CREATION OF CARDONA MUNICIPAL TOURISM COUNCIL

Section 10. Creation. The Cardona Municipal Tourism Council is hereby created. It shall be the highest coordinating and policy formulating body on tourism in the municipality.

Section 11. Composition. The Cardona Municipal Tourism Council shall be composed of the following:

1. Chairperson - Municipal Mayor
2. Vice- Chairperson - SB Committee Chairman on Tourism
3. Representative from Hotels and Resorts Association and Restaurants and Bars Association.
4. President or duly Designated Representative from Transportation Sector
5. Municipal Planning and Development Officer
6. MDRRMO
7. Municipal Engineer
8. Municipal Agricultural Officer
9. Municipal Assessor
10. Municipal Tourism Officer
11. President, Liga ng mga Barangay
12. President, Pambayang Pederasyon ng Sangguniang Kabataan
13. Representative, Education Sector
14. Philippine National Police
15. Bureau of Fire Protection
16. Representative from Accredited NGO's

Section 12. Term of Office. The term of office of the members of the council shall be for the duration of the terms of office to which they were elected or appointed. In case of SB representatives, they shall hold office for as long as they are the Chairman of the committee concerned

Section 13. Meeting and Quorum. The Cardona Municipal Tourism Council shall meet once every quarter. Special meeting can be called by the Chairperson as the need arises.

Section 14. Duties and Functions of the Council. The Cardona Municipal Tourism Council shall:

1. Formulate policies and plans for the development of tourism in the Municipality of Cardona, Rizal.
2. To undertake studies on the development of preservation of cultural and arts heritage of Cardona, Rizal.
3. To coordinate with the Department of Tourism and Provincial Tourism Council in the development of the infrastructure requirements supporting a tourist zone.
4. To coordinate with the Department of Tourism, Provincial Tourism Council, Philippine Historical Institute and National Commission for the Culture and the Arts in the preservation and restoration of Municipal monuments, historical landmarks, and other tourist attractions.
5. To coordinate with non-government organizations as well as barangay units regarding measures that will promote tourism industry in this municipality.
6. To undertake fund raising campaign such as cultural and benefit shows, etc. and to accept donations from any and all sources for tourism, culture and arts development
7. Help identify, development and promote potential tourism attractions;
8. Extend technical assistance to all tourism - oriented and related establishment;
9. Create sustainable tourism programs and projects for the community;
10. To create and promote awareness on the benefits of tourism through mixed media;
11. Help in monitoring compliance of the requirements of standards and regulations set by DOT, LGUs and other government agencies for the general welfare of tourist visitors and community;
12. Initiate and recommend the implementation of programs and activities on tourism in coordination with the DOT, LGU, private sector and other entities;
13. Initiate private and public partnership in implementing tourism development plans, programs and activities;
14. Encourage the development of Barangay Tourism Councils in the Municipality in accordance with the Tourism Code of Cardona, Rizal;
15. Promote and support sustainable tourism by facilitating community based tourism activities; and,
16. Facilitate resource generation for tourism activities.

Section 15. Investment and Development. The Municipal Tourism Office, in coordination with the Cardona Municipal Tourism Council, shall encourage the Barangays to invest in the development of their respective tourist destination.

Section 16. Protection and Preservation. The Municipal Tourism Office and the Cardona Municipal Tourism Council in coordination with the Barangays shall ensure the integrity of all tourism resources for its protection and preservation.

ARTICLE V



REPUBLIC OF THE PHILIPPINES
Province of Rizal
MUNICIPALITY OF CARDONA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CARDONA, RIZAL, HELD ON THE 7TH DAY OF NOVEMBER, 2022 AT THE SESSION HALL, THIRD FLOOR OF THE MUNICIPAL BUILDING.

PRESENT:

HON. GIL F. PANDAC

- Municipal Vice-Mayor/
Presiding Officer

INCENTIVES

Section 17. Incentives. All tourism-related investments in Cardona, Rizal may avail of the following incentives in addition to those provided under the Local Investment Incentive Code:

1. Technical assistance and networking;
2. Project for restoration of cultural and heritage sites shall be given tax holidays to be determined by the Sangguniang Bayan;
3. Inclusion in marketing and promotional collaterals.

Section 18. Recommendation and Endorsement. For tourism-related business to avail of incentives under this article an endorsement must first be secured from the Municipal Tourism Office.

ARTICLE VI ASSESSMENT, MONITORING AND EVALUATION

Section 19. Monitoring and Evaluation System. The Municipal Tourism Office, together with the Cardona Municipal Tourism Council and respective Barangays LGUs, shall establish a monitoring and evaluation system in order to evaluate the economic, social and environmental impact of the tourism activity. They should cover all elements that are crucial to sustainability of the tourism resource in compliance with the provisions of this Code. Monitoring and evaluation indicators should include service quality and participation to local activities.

ARTICLE VII TOURISM TRAINING INSTITUTION

Section 20. Coordination with both Government and Private Tourism Institutions. The Municipal Tourism Office should coordinate with both government and private tourism entities to institutionalize tourism training programs, formal and informal, with corresponding certification upon completion.

Section 21. Linkage. Both the Provincial Tourism Office and the Cardona, Rizal Tourism Development Council shall strengthen their networking and linkage to access financial and technical resources including organizing a pool of trainers to provide other skills training needed by the industry.

Section 22. Training Programs and Laboratory. Local communities shall have priority access to all tourism training programs. The Sangguniang Bayan Session Hall serves as the municipality's tourism training laboratory for its training programs.

ARTICLE VIII FUNDING REQUIREMENTS

Section 23. Regular Budget. The barangay governments are encouraged to include in their annual budget such estimated funding requirements for the development of tourism facilities, access roads and amenities within their respective jurisdiction.

The Municipal Government of Cardona, Rizal shall allocate an amount necessary as initial funding for the implementation of this Code and thereafter shall annually appropriate such amount for its enforcement from available sources of fund.

Section 24. Funding Support from the National Government. Specific tourism project may be undertaken with funding support from the Provincial Tourism Office. Regional

- d) **Borderline or Low Normal Group.** *This is the highest group of mentally challenged, with IQ's from 75 to 89. The members of this classification are only slightly mentally challenged and they can be usually get by in regular classes if they receive some extra help, guidance and consideration. They have to spend much more time with their studies in order to pass. Those who cannot make it are usually handicapped by one or other conditions aside from that in intelligences.*

Section 96. Petition for Commitment.

Where a child appears to be mentally challenged, physically handicapped, emotionally disturbed or mentally ill and needs institutional care but his parents or guardians are opposing thereto, the Municipality in coordination with the Department of Social Welfare and Development, or any duly licensed child placement agency Or individual shall have the authority to file a petition for commitment of the said child to any refutable institution providing care, training and rehabilitation for disabled children.

Section 97. Support services/Programs.

1. The Municipality of Cardona, Rizal through the MHO and MSWDO and in partnership with NGOs, shall provide assistive devices, whenever feasible, to children with special disability, such as but not limited to:
 - i. *Wheelchair*
 - ii. *Crutches*
 - iii. *Cane/ White cane*
 - iv. *Hearing Aid*
 - v. *Walker*
 - vi. *Special Seats*
2. The Municipality shall endeavor to provide regular physical therapy for children with cerebral palsy, Down syndrome, and hydrocephalus, educational or financial assistance for school children with physical deformities (speech impaired, club-foot, blind, hearing impaired, epilepsy and polio) and mental disabilities.
3. The Municipality, through the MHO, shall refer concerned children to appropriate medical practitioners for possible operation of hernia and cleft/lip palate.
4. The Municipality, through the MSWDO and MHO, shall initiate Early Detection and Disability Prevention Seminars among day care Parents and shall conduct eye screening, ear/hearing care among Day Care Children.

Article 18. CHILDREN IN CONFLICT WITH LAW

Section 98. Rights of Children in conflict with the law.

Pursuant to Republic Act 9344 otherwise known as "juvenile Justice and Welfare Act of 2006", every child in conflict with the law shall have the following rights, including but not limited to:

1. *The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;*
2. *The bright not to be deprived unlawfully or arbitrarily, of his liberty; detention or imprisonment being a disposition of last resort, and which shall be for the shortest appropriate period of time;*

Tourism Office, the national government and its various instrumentalities through representations made by the Local Government Units.

ARTICLE IX MISCELLANEOUS AND FINAL PROVISIONS

Section 25. Applicability of National Laws, Rules, Regulations and Issuances. In the implementation of the provisions of the Code, reference shall always be made to existing national laws, rules, regulations and issuances on Tourism. For this purpose, the Cardona, Rizal Municipal Tourism Council shall issue directives to spell out the with clarity specific provisions of law applicable in the municipality.

Section 26. Applicability of the Environment Code. Relevant provisions of the Environment Code of the Municipality to the Tourism Industry are hereby adopted to highlight the overriding importance of environment preservation and protection.

Section 27. Penal Provisions. Penal provisions provided for in specific tourism laws, rules, regulations are hereby adopted to protect the best interest of tourist, stakeholders, visitors and the general public.


Section 28. Repealing Clause. Any ordinance or part thereof inconsistent with this ordinance is hereby repealed, amended or modified accordingly.

Section 29. Separability Clause. If for any reason, any provision, section or part of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected shall continue be in full force and effects.


Section 30. Effectivity Clause. This ordinance shall take effect after a period of ten (10) days of posting in at least three (3) conspicuous places within the Municipality.

ENACTED, this 17th day of February, 2020 in Cardona, Rizal.

I hereby certify to the correctness of the foregoing Ordinance.


FILIPINAS E. RODELAS
Secretary to the Sangguniang Bayan

ATTESTED:


GIL F. PANDAC
Municipal Vice-Mayor/
Presiding Officer

APPROVED:


TEODULO C. CAMPO
Municipal Mayor

Tourism Office, the national government and its various instrumentalities through representations made by the Local Government Units.

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ATTESTED:

GIL F. PANDAC
Municipal Vice-Mayor/
Presiding Officer

APPROVED:

TEODULO C. CAMPO
Municipal Mayor

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

This Agreement, entered into and executed, by and between:

Municipality of Cardona Rizal, a local government unit with official seat of government at Rizal St., Barangay Real, Cardona, Rizal, represented by its Municipal Mayor, **HON. BERNARDO P. SAN JUAN JR.**, who is of legal age, Filipino and with office Address at Rizal St., Barangay Real, Cardona, Rizal, hereinafter to be referred to as the **FIRST PARTY**;

-and-

Cardona Multi- Purpose Cooperative (CMPC), a cooperative duly organized, existing and doing business under Philippine laws, registered with the cooperative Development Authority (CDA), with business address at Barangay Patunhay, Cardona, Rizal, represented by its Chairman of the Board **JUVY R. SAN JOSE**, who is of legal age, Filipino and with office address at Barangay Patunhay, Cardona Rizal, hereinafter to be referred to as the **SECOND PARTY**;

WITNESSETH:

1. That by virtue of that **Resolution No.2014-078 dated 29 September 2014** passed and enacted by the Sangguniang Bayan of Cardona, Rizal, the Municipal Mayor of Cardona Rizal, The Hon Bernardo P. San Juan ,Jr., was duly authorized to enter into a Memorandum Agreement for the management and operation of (a) Calahan Waterworks System located at Barangay Calahan Cardona, Cardona, Rizal, (b) Cardona Water System located at Barangay Del Remedio, Cardona Rizal, and (c) the Subay Water System located at Barangay Subay, Cardona Rizal (hereinafter to be collectively referred to as the **WATER SYSTEM**), all owned by **FIRST PARTY**;

2. That whereas, by virtue of that **Board Resolution No.38-s-2014 dated 05 August 2014**, passed and approved by the board of Directors of Cardona Multi- Purpose Cooperative, MS. JUVY R. SAN JOSE, was duly authorized to enter into a Management contract for the management and operation of the above-mentioned subject **WATER SYSTEM**;

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3. That the **WATER SYSTEMS** are providing basic water services to the residents of their respective Barangay where at they are respectively located, for which the **SECOND PARTY** is interested, ready, willing and capable to provide its "Management and Operation Skills" for their more efficient and productive operation: