CHAPTER VII
MISCELLANEOUS PROVISIONS

Section 48. **PROVISION OF BOARDWALKS OR OPEN SPACES ALONG THE SHORELINE** – No permanent structures or buildings shall be constructed within twenty five (25) meters away from the highest tide except for roads and any other form of access parallel with the shoreline to provide boardwalks and spaces for the general public. Provision of open space and boardwalk shall also apply to islands and islets of which open spaces must be allocated freely for public use, however its distance from the highest tide shall be in a case to case basis depending on the recommendation of the Council. In no case, application or request for foreshore lease shall be endorsed by the Local Sanggunian after the approval of this code.

Section 49. **LIMITATION FOR THE CONSTRUCTION OF PERMANENT STRUCTURES** – Construction of buildings shall only be limited up to three (3) storey with a minimum height of twelve (12) feet per storey, except on the third storey which can be extended with a maximum of six (6) feet up to the top or ridge.

Section 50. **USAGE OF THE LAND AREA** – Only fifty percent (50%) of the land shall be allowed for the permanent structure. The remaining fifty percent (50%) including the boardwalk shall be devoted for open spaces. These open spaces however, can be utilized for tent-fetching or any movable or detachable structures. In no case however, tent-fetching or any movable or detachable structures be allowed in boardwalks.

Section 51. **SEWAGE COLLECTION AND DISPOSAL** – Septic tanks of hotels, motels, inns, resorts, restaurants and other related business establishments shall be connected to the sewer in areas where sewerage system is available. In areas where there is no sewerage system, sewer outfalls shall be discharged into a separate septic tanks where it can be treated with some type of disinfectants before it can be discharged to a drainage conforming with the quality standard prescribed by the National Water and Air Pollution Control Commission.

Water wastes emanating from the above-mentioned establishments shall likewise be deposited in a septic tank where it could be disinfected prior to discharging.

Section 52. **INCENTIVES ON BUSINESS** - Tourism-oriented and tourism-related establishments which are duly registered and licensed by the municipality shall be entitled to the following privileges/incentives:

52.1 **"On Site Licensing System"** – For purposes of registration and renewal of licenses and Mayor's permit, a hassle free method shall be introduced by the Municipal Government by bringing the concerned offices of the municipality to the barangays where the establishment is located.

52.2 **Tax incentives** - Upon the recommendation of concerned authorities and in conformity with the Local Investment Code, tax incentives shall be enjoyed by tourism related businesses in the municipality.

52.3 **Exemption from curfew** - After having considered the security and well-being of tourists and of the community, tourism establishments shall be exempted from curfew. Regulations on the exemptions from

curfew shall be determined through an ordinance upon recommendation of the MTC.

Section 53. **CONFIDENTIALITY OF DATA** – As a primary rule of the Municipal Tourism Office, information and documents submitted in pursuance with the requirements of this Code shall be considered as confidential and shall only be disclosed when public interest so requires.

Section 54. **ENLISTMENT OF AID, ASSISTANCE AND SUPPORT OF OTHER GOVERNMENT AGENCIES** – In the implementation of the provisions of this Code, Municipal Tourism Office may enlist the aid, assistance and support of any and all government agencies, whether local or national

Section 55. **BUSINESS REGISTRATION FORMS** – The Municipal Tourism Office as the case maybe, shall make available all application for registration and/or license forms that applicants shall accomplish and all other forms that maybe deemed necessary

Section 56. **POSTING OF STANDARD RATES FOR TOURISM-RELATED BUSINESSES** – For the interest of public information, it is mandated by this Code that standard rates of the services of tourism-related establishments and businesses shall be posted in the place of business and in conspicuous places within the municipality of Roxas.

Section 57. **SITE DEVELOPMENT** – Any site development for tourism related activities shall conform with the existing Comprehensive Land and Water Use Plan (CLWUP) of the Municipality; pertinent provisions of this Code; such other existing rules and regulations or the Sanggunian Bayan may hereafter promulgate.

Section 58. **MARKET DEVELOPMENT** – Existing and proposed tourist sites/destinations, shall be fully promoted for its market development. Such promotion activities can be undertaken by tourist/business operators in cooperation with the Municipal Tourism Council.

Section 59. **REGISTRATION OF TOURISTS** – All tourist accommodation facilities shall submit a Tourist Registration Report on a regular monthly basis to the Municipal Tourism Office pursuant to Section 29 of this Code. Such information shall be treated confidential and shall not form part or parcel for any legal actions against any business/tourist operator.

Section 60. **SIPAG FESTIVAL** – The Municipal Tourism Office in cooperation with the Municipal Tourism Council through the Culture and Arts Committee shall execute the necessary efforts to explore all possible means to develop and promote **"SIPAG *Festival*"** as the official and exclusive festival of the Municipality of Roxas ,Oriental Mindoro. The Municipal Government shall set aside sufficient funds to further enhance the communities' awareness of the **"SIPAG** *Festival"* and for the improvement and enrichment of the same by combining the heritage of *Mangyan* cultures. Tourism related businesses shall showcase in their promotional activities depicting the daily life rituals of the early settlers of the municipality.

Section 61. **PROVISION OF ACCESS ROADS GOING TO THE SHORELINE.** The Local Government shall establish and provide access roads for the general public to the shore from the main road parallel to the coastline of not more than four hundred (400) meters apart so as not to impede the economic activities of the locale, most especially, of marginal farmers and fishermen.

In accordance with law, the Local Government shall make arrangements with landowners in the event proposed access roads traverse their properties.

Section 62. **ESTABLISHMENT OF LANDING, MOORING AND SALVAGE AREA FOR SEA CRAFTS** – The Local Government shall provide and establish a landing, mooring and salvage area for sea crafts and formulate rules and regulations on its management and operation.

CHAPTER VIII
PENAL PROVISION

Section 63. Any person or establishment engaged in tourism business found to be violating any provision of this Code shall be fined One Thousand Pesos (P1,000.00) but not more than Two Thousand Five Hundred Pesos (P 2,500.00) for first and second offenses and both fine and cancellation of registration and Mayor's Permit for the third offense.

Section 64. If the violation committed by the establishment or its staff involves offenses destructive to the environment said offenses shall be penalized in accordance with the Forestry Code of the Philippines (PD 705), Fishery Code of the Philippines (RA 8550) and the Strategic Environmental Plan (SEP) Law for Palawan (RA 7611), whichever is applicable.

64.1 If the offense/s is committed by a corporation, partnership, or other juridical entity duly organized in accordance with law, the Chief Executive Officer, President, General Manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense/s under this Code.

64.2 If the liable person is an alien, he shall, after having been penalized as prescribed above, could either be reconsidered or recommended by the local government to proper authorities for deportation, depending on the gravity of the offense.

CHAPTER IX
FINAL PROVISIONS

Section 65. **IMPLEMENTING RULES AND REGULATIONS** – The implementing Rules and Regulations of this Code shall be formulated by the Municipal Tourism Council to be approved by the Local Chief Executive and ratified through an ordinance by the Sangguniang Bayan.

Section 66. **FUNDING** – The funds necessary for the implementation of this Code shall be taken from the general funds of the municipality subject to the limitations prescribed by law. Funding requirements for the succeeding years shall be provided in the annual/supplemental budget of the municipality.

Based on the general provisions of all resource management plans, the community together with the LGU reserves the right to impose environmental fees to visitors for the purpose of maintaining/rehabilitating the natural resources of the municipality.

Section 67. **APPLICABILITY CLAUSE** – All other matters concerning fees and activities not specifically mentioned in this article shall be governed by the Municipal Revenue Code of Roxas, Oriental Mindoro

Section 68. **SEPARABILITY CLAUSE** – In the event that some provisions of this Code are declared *ultra vires* by any court of competent jurisdiction, the validity of all the remaining provisions shall not be affected thereby.

Section 69. **REPEALING CLAUSE** – Any Ordinance, Executive Order, Local Issuance or Rules and Regulations, or parts thereof, which are inconsistent with this Code, are hereby repealed and modified accordingly.

Section 70. **EFFECTIVITY** - This Code shall take effect upon review of the sangguniang Panlalawigan and publication in three conspicuous places in the municipality for 15 consecutive days.

ENACTED: 12 March 2013

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

VIOLETA L. DIMAPILIS
Municipal Vice Mayor

APPROVED:

JACKSON CIRSO DY
Municipal Mayor

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