

REPUBLICA NG PILIPINAS  
TANGGAPAN NG SANGGUNANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
-oOo-

CITY ORDINANCE NO. 900  
May 22, 2019

**AN ORDINANCE AMENDING SECTIONS 5 AND 39 OF CITY ORDINANCE NO. 370,  
S.OF 2004 KNOWN AS THE BACOLOD CITY TOURISM CODE**

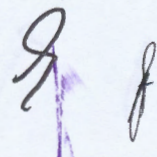
**WHEREAS**, the Sangguniang Panlungsod of Bacolod City in session assembled approved on 3<sup>rd</sup> and final reading the Ordinance Requiring All Primary Tourism Enterprises To Secure Accreditation from the Department of Tourism prior to Application of Business Permit, Providing Penalties for Violations Thereof last May 15, 2019 during its 150<sup>th</sup> Regular Session;

**WHEREAS**, in view of the passage of the aforesaid Ordinance, it is imperative that the Bacolod City Tourism Code be amended to include the mandatory provision for primary tourism enterprises to secure accreditation from the Department of Tourism prior to application for business permits.

**NOW, THEREFORE, BE IT ORDAINED** by the Sangguniang Panlungsod of Bacolod City, in regular session assembled, that **Sections 5 and 39 of City Ordinance No. 370, S.of 2004** known as the Bacolod City Tourism Code, be amended to read as follows:

**SECTION 5. DEFINITION OF TERMS** – For purposes of this Ordinance, the terms and phrases enumerated in this Section shall be construed or interpreted to mean or refer to, as follows:

- a. **ACCREDITATION** – shall refer to the process of completing the prescribed requirements for a tourism enterprise to operate in the jurisdiction of a city and the eventual certification by the Department of Tourism.
- b. **APARTMENT HOTEL (APARTEL)** – any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourists and travelers for a period of not less than one day.
- c. **ASSOCIATION** – an organization of persons/entities having the subject of tourism as a common interest.
- d. **BAR, COCKTAIL LOUNGE, BEERHOUSES/GARDENS/NIGHT OR DAY CLUBS, SUPPER CLUBS** – Bar includes any place where intoxicating and fermented liquors or malt are sold, even without food, where services of hired hostesses and/or waitresses are employed and where customers may dance to music rendered by a regular dance orchestra or musicians hired for the purposes; otherwise, the place shall be classified as a dance hall or night or day club.



A cocktail lounge or beer garden is considered a bar even if there are no hostesses or waitresses to entertain customers.

Night or Day club includes any place frequented at night-time or daytime as the case maybe, where patrons are served food and drinks and are allowed to dance with their partners or with professional hostesses furnished by the management.

Night and Day club means essentially the same as "Night or Day Club" except that it opens both during nighttime and daytime.

Supper Club includes any establishments where food and drinks are served to its patrons to the accompaniment of music furnished by such establishment with musicians under its employ or by jukeboxes or record/CD players installed within premises, and where patrons are allowed to dance only with partners who they bring along

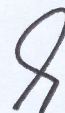
- e. **BI** – Bureau of Immigration
- f. **BOI** – Board of Investments
- g. **BPLD** – Business Permits and Licensing Division
- h. **CITY** – Bacolod City Government
- i. **CODE** – Local Government Code of 1991 (Rep. Act 7160)
- j. **BCTO** – Bacolod City Tourism Office
- k. **DENR** – Department of Environment & Natural Resources
- l. **DFA** – Department of Foreign Affairs
- m. **DOT** – Department of Tourism
- n. **DEPARTMENT STORE** – a store which sells or carries several lines of merchandise in separate sections including one devoted to Filipiniana items.
- o. **HOTEL** – any building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travelers or tourists and the provision of services incidental thereto for a fee.
- p. **INBOUND TOUR** – a tour or of the Philippines or any place within the Philippines.
- q. **LICENSE** – the privilege or authority granted by the BPLD to own, operate, manage and maintain a tourist establishment.
- r. **LTFRB** – Land Transportation Franchising and Regulatory Board.

*B* *f*

- s. **LTO** – Land Transportation Office
- t. **LLRB** – Liquor Licensing Regulatory Board
- u. **OUTBOUND TOUR** – a tour to any other place outside of the Philippines
- v. **PENSION HOUSE** – a private, or family-operated tourist boarding house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourists and/or travelers, containing several independent lettable rooms, providing common facilities such as toilets, bathrooms/showers, living and dining rooms and/or kitchen and where a combination of board and lodging may be provided.
- w. **TIEZA** - TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY (formerly the Philippine Tourism Authority) – is an agency of the Philippine National government under the Department of Tourism responsible for the implementing policies and programs for the department pertaining to the development, promotion, and supervision of tourism projects in the Philippines.
- x. **PRIMARY TOURISM ENTERPRISES** - refers to travel and tour services; land, sea and air transport services exclusively for tourist use; accommodation establishments; convention and exhibition organizers; tourism estate management services; and such other enterprises as may be identified by the Department of Tourism, after due consultation with concerned sectors.
- y. **REGISTRATION** – the listing of tourism oriented and tourism-related establishments, including those offering training and promotion programs, after such establishments and facilities shall have been certified by the Bacolod City Government, through the BCTO as having conformed with the minimum standards/requirements in accordance with this Ordinance.
- z. **RESORT** – any place or places with pleasant environment and atmosphere conducive to comfort, healthful relaxation and rest, offering food, sleeping accommodations and recreational facilities to the public for a fee or remuneration.
- aa. **RESTAURANT** – any establishment offering to the public regular and special meals or menu, cooked foods and short orders, beverages and drinks.
- bb. **SHOP** – a small retail establishment specializing in Filipiniana products.
- cc. **SPECIAL INTEREST RESORT** – refers to resorts located at appropriate seaside, sea borne, mountain, forest, lake or river sites, providing facilities and equipment for the conduct of special interest activities, wildlife observation and bird watching, cave exploration, backpacking, hiking, camping, trail riding (either motorized or horseback), tribal visits, target shooting and hunting, theme parks, such as marine aquarium parks.

8 8

- dd. **SPORTS and RECREATIONAL FACILITIES** – include swimming pools, bowling lanes tennis courts, pelota or squash courts, golf courses, riding range, shooting range, archery range, aquatic/water sports arrangement, fishing, water skiing and similar facilities forming part of the resort
- ee. **TENANT** – any tourist or traveler who is registered as paying occupants of any apartment-hotel
- ff. **TOUR GUIDE** – an individual who is licensed by the BPLD and registered with BCTO to guide tourist, both foreign and domestic for a fee, commission or any other form of lawful remuneration.
- gg. **TOURISM - ORIENTED ESTABLISHMENT** – any establishment which is registered and licensed by the appropriate offices of the city government which caters directly to tourists, whether domestic or foreign
- hh. **TOURISM-RELATED ESTABLISHMENT** – any establishment or enterprise which may or may not be registered with the BCTO but which caters incidentally to both foreign and local travelers and tourists.
- ii. **TOURISM TRAINING PROGRAM** – any training program that caters or is involved in the tourism industry.
- jj. **TOURIST INN** – a lodging establishment catering to local and foreign tourists not meeting the minimum requirements of an economy hotel.
- kk. **TOURIST LAND TRANSPORT UNIT** – Any vehicle, carriage or conveyance moving on wheels or runners used on public roads and highways and catering to tourists.
- ll. **TOURIST TRANSPORT OPERATOR** – a person or entity which may either be a single proprietorship or corporation, regularly engaged in providing for a fee or lawful consideration, tourist transport services as hereinafter defined, either on charter or regular run.
- mm. **TOURIST WATER AND AIR TRANSPORT OPERATOR** – any water craft or air conveyance catering to tourist.
- nn. **TRAVEL AGENCY** – an entity which may either be a single proprietorship, partnership or corporation regularly engaged in the business of extending to individuals or groups, such services pertaining to documentation of travel papers, ticketing sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines whether or not for a fee, commission or any form of compensation.



**SECTION 39. REGISTRATION AND LICENSING OF TOURISM - RELATED ESTABLISHMENTS, MANDATORY** – No person, natural or judicial, shall keep, manage, or operate any building, edifice or premises, or completely independent thereof, for the purpose of engaging in the tourism-oriented establishment without having first secured from the Bacolod City Tourism Office (BCTO) a certificate of registration of the establishment and a valid license from the Business Permits and Licensing Division (BFLD) and/or the Liquor Licensing and Regulatory Board (LLRB) as the case maybe to operate.

39.1 Prior to the issuance of their business permit or renewal of the same, all primary tourism enterprises shall secure an accreditation certificate from the Department of Tourism.

**CARRIED BY THE VOTE OF:**

Affirmative:

Councilors : Caesar Z. Distrito, Cindy T. Rojas, Renecito S. Novero, Em L. Ang, Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Dindo C. Ramos, Bartolome N. Orola, Sr., Sonya M. Verdeflor, Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.

Negative : N o n e .

Official Leave : Councilors Ricardo L. Tan and Claudio Jesus Raymundo A. Puentevella.

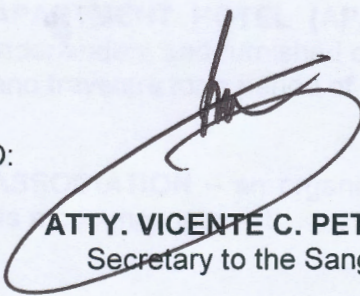
Absent : N o n e .

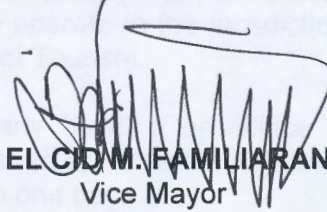
Author : Councilor Sonya M. Verdeflor.

Passed : May 22, 2019 (151<sup>st</sup> Regular Session of the 9<sup>th</sup> Council).

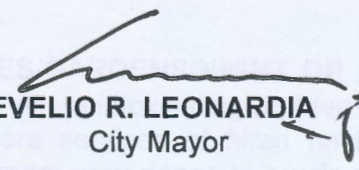
Comments : P a s s e d .

ATTESTED:

  
**ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian

  
**EL CID M. FAMILIARAN**  
Vice Mayor  
Presiding Officer

APPROVED: May 30, 2019.

  
**EVELIO R. LEONARDIA**  
City Mayor

VCP/CGT/jbz

LEGISLATIVE SERVICES SECTION

June 3, 2019

