



**WHEREAS**, Bulalacao, a coastal municipality of a great cultural significance, a center of rich diversity of exquisite forest, fishery and marine resources, and one of the world's most important diving havens;

**WHEREAS**, the growing coastal population, as well as the burgeoning tourism and other economic activities in Bulalacao has intensified the risks of environmental degradation, destruction of habitats and deterioration of water quality;

**WHEREAS**, pursuant to Executive Order No. 533 of 2006, Integrated Coastal Management (ICM) is recognized as an effective approach to sustainable coastal and marine development with demonstrated benefits in enhancing economic growth and ecosystem protection, promotion of social equity, and the quality of life of the people;

**WHEREAS**, Book II, Title One, Chapter 5, Section 186 of RA7160 otherwise known as the Local Government Code of 1991 states that "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 provision 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";

**NOW THEREFORE**, be it enacted by the Sangguniang Bayan of Bulalacao, Oriental Mindoro in session assembled, that:

**SECTION 1. Title.** This ordinance shall also be known as the "Bulalacao Environmental Users' Fee System Ordinance."

**SECTION 2. Declaration of Policy.** It is hereby declared the policy of the Local Government of Bulalacao:

- a) To promote conserve and ensure sustainable and equitable utilization of its coastal areas and aquatic resources in conformity with the Philippine Constitution and other relevant environmental laws;
- b) To uphold and promote the cultural heritage and integrity of Indigenous people;
- c) To ensure for the benefit and enjoyment of the people of Bulalacao, the judicious and wise utilization, protection, conservation and management on a sustainable basis of its water ponds, swamp, estuarine rivers, sandy beaches and other areas within a seaward limit of 200 meters isobaths to include coral reefs, algae flats, sea grass beds and other soft-bottom areas.

**SECTION 3: Purpose of Environmental Users Fee.**

- a) To compensate the environmental damages left by the influx of tourists.
- b) To collect income that will be used for the development of tourism sites and implementation of various projects.
- c) To regulate the use of natural resources found within the Municipality.

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**SECTION 4: Definition of Terms.**

- a) **Environmental Users Fee (EUF)** - refers to charges imposed on any person who visits/enters the municipality of Bulalacao and not being a resident thereof, for the purpose of enjoying, and/or experiencing the natural wonders of the various tourist destinations and the services provided by the natural environment or habitat within Bulalacao. Such fees shall be intended solely for purposes provided in this Ordinance;
- b) **Marine Biodiversity** is an aggregation of highly inter-connected ecosystem components or features, encompassing all level of biological organization from genes species, populations to ecosystem with the diversity of each level having structural and functional attributes.
- c) **Municipal Waters** - refers to include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not the subject of private ownership and not included within the national parks, brackish water, fishponds leased by the government, and national fishery reserves, refuge and sanctuaries but also marine waters included between two lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and 15 kilometers from such coastline. Where two municipalities are so situated on opposite shores such that there is less than thirty (30) kilometers of marine waters between them, the third line shall be a line equidistant from the opposite shores of the respective municipalities (RA 8550 or Fisheries Code of 1998);
- d) **Resident** - any natural person who resides permanently in Bulalacao and possesses the following:
  - Valid ID showing Bulalacao as his address
  - Cedula
  - Voter's ID
  - For the purpose of this Ordinance, those adopted as Bulalacaonon shall be considered as residents.
- e) **Tourist/Guest** - refers to any natural person, not being resident of Bulalacao who enters the municipality through any landing sites or other point of entry for the purpose of visiting, enjoying, viewing and/or experiencing its tourist destination and other eco-tourism spots, whether natural or man-made, although for a momentary period only.
- f) **Collection Agent** - any person natural or juridical who qualified as collector and has been deputized by the Municipal Treasurer to collect environmental users fee.
- g) **Trust Fund** - a special account fund established for public purposes by, with, and through the local government as provided in this Ordinance that forms the trust, sets out its legal terms and uses, and assigns respective rights, roles and responsibilities to different parties.
- h) **General Fund** - a fund used to account such monies and resources received by and disbursed from the local treasury for this Ordinance that shall be available for the payment of expenditures, obligations or purposes not specifically declared by law as chargeable to or payable from any other fund.

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 HON. ELFRIDIN N. COMITRE  
 HON. RAMON C. MABANTA  
 HON. ERMILO C. VILLAS  
 HON. PERITA L. P. P.

i) **Accommodation Establishment-** refers to establishments which handle accommodation of tourist and guest like hotels, resorts and other tourist destinations.

**SECTION 5. Establishment, Scope and Application of the EUF System.** It is hereby established an Environmental Users Fee System, which effectively allocates responsibility for environmental management, development, protection and remediation by charging a certain amount for the use and/or enjoyment of Bulalacao environment and natural resources.

**SECTION 6. Scope and coverage.** The system shall be enforced within the jurisdiction of the municipality of Bulalacao including its municipal waters and all other natural resources.

**SECTION 7. Environmental Users Fee Collection.** The collection of the EUF shall be in accordance with the following:

**7.1 Environmental Users Fee.** An environmental fee in the amount of **Fifty Pesos** (Php50.00) shall be collected by its designated and authorized collectors from all tourists, travelers and guests upon entering the municipality of Bulalacao or any of the landing sites or entry points going to any of the barangays of Bulalacao. The environmental fee shall be good only for his or her entire stay in Bulalacao until his or her exit/departure from any of the barangays of Bulalacao.

**7.2. Collection Sites.** EUF shall be collected at identified collection sites set up at entry points for all travelers/tourists. Tourists booked at an Accommodation Establishment (AE) may also pay their EUF at the AE upon their check in.

**7.3. Collecting Agents.** The Municipal Treasurer shall be the principal officer responsible for collecting the EUF. To assist him in the collection, the Municipal Treasurer may deputized collecting agents. Accommodation establishments' owners and operators may be authorized as collecting agents, provided they are given 10% incentive for collecting environmental users fee.

**7.4. Review of EUF system.** The Sangguniang Bayan shall periodically review the EUF system and shall be guided by a study and technical information in order to rationalize the rate of fee to be collected and after due consultation with all the stakeholders.

**SECTION 8. Use of the Environmental Fund.** All funds collected by virtue of this Ordinance shall be used directly or indirectly for the following purposes:

**8.1** To fund projects such research, trainings TEC sanitation treatment system and or promotion or use of appropriate and/or indigenous technology among others that will ensure the protection, conservation and sustainable use of the natural environment subject to such rules and regulations issued by the LCE;

**8.2** To rehabilitate any ecosystem or part thereof subject to the technical advise and study of the appropriate government agency and/or academic institutions or research entities competent to undertake such assessment;

**8.3** To develop existing natural environment which are considered tourist attraction in order to prevent any actual or potential damage thereon brought about by human activities and/or exposure to the action/impact of natural elements/phenomenon;

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HON. ERIC C. VILLAS

8.4 To improve the system of management and collection of the environmental fund and such other incidental expenses to achieve the same;

8.5 To conserve and protect all natural environment such as the marine and upland biodiversity, lakes and bodies of water, caves, mountains and other terrestrial ecosystem whether for the aesthetic enjoyment of the general public or for the livelihood of fisher folk, indigenous people and other stakeholders;

8.6. To ensure effective enforcement of all laws and ordinances pertaining to environmental protection management and conservation and tourist protection being conducted by the local PNP, Bantay Dagat and other similar volunteer groups subject to the limitations provided by law and this Ordinance;

8.7 To support, promote undertake any or activities/endeavors similar to the foregoing in order to achieve the purposes of this Ordinance;

**SECTION 9. Sharing of Fees Collected.** The forty percent (40%) of the total amount collected shall be deposited under the General Fund Account, the other forty percent (40%) shall be deposited under the Trust Fund Account, and the remaining twenty percent (20%) shall be given to the barangay where the environmental users fee has been collected.

**SECTION 10. Exemption.** The following shall be exempted from the payment of the environmental users fee:

10.1 All residents of Bulalacao shall be exempted from the payment of the environmental users fee, provided he or she shows proof of such residency such as but not limited to passport, community tax certificate, voter's ID and employment I.D.

10.2 All Filipino senior citizens shall have a 20% discount in the payment of the environmental users fee.

10.3 Filipino children 12 years old and below and the identified persons with disability.

**SECTION 11. Penalties.** The following acts shall be prohibited for the purpose of this Ordinance:

11.1. Nonpayment of the environmental fee shall be punishable by paying double the amount of the environmental fee without prejudice to the filing of appropriate criminal or administrative case;

11.2. Misrepresentation of one's identity, residency and the like in order to avoid payment of environmental fee shall be punishable by paying the environmental fee double the amount and rendering community service for one (1) day without prejudice to the filing of appropriate criminal or administrative case;

11.3. Non-issuance of tickets by the designated and authorized collectors shall be punishable by a fine of One Thousand Pesos (Php1,000.00) without prejudice to the cancellation of the license to collect environmental fee and filing of appropriate criminal and administrative case;

11.4. Unauthorized collection of environmental fee by designated and authorized collectors shall be punishable by a fine of TWO thousand five hundred pesos (Php2,500.00) without prejudice to the cancellation of the license to collect and filing of appropriate criminal case;

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11.5 Collection of environmental fee by person not duly authorized by the Municipal Treasury shall be punishable by imprisonment upon the discretion of court of competent jurisdiction.

11.6. Possession of fake Environmental Users Fee receipt shall be punishable by a fine of Two Thousand Five Hundred Pesos (Php2,500.00)

**SECTION 12. Separability Clause.** If any part or provision of this ordinance shall be held unconstitutional or invalid, the other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

**SECTION 13. Effectivity.** This ordinance shall take effect immediately after fifteen (15) days of posting in Sangguniang Bayan bulletin board and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

**ENACTED** this 15<sup>th</sup> day of February 2021 Bulalacao, Oriental Mindoro.

Hon. DEXTER R. GONZALES  
Sangguniang Bayan Member

Hon. DENNIS M. FANER  
Sangguniang Bayan Member

Hon. EDEZER F. ACERON  
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Sangguniang Bayan Member

Hon. EDWIN C. ACERON  
Sangguniang Bayan Member

Hon. ENRICO C. VILLAS  
Pangulo, Liga ng mga Barangay

Hon. TULAY M. CARING  
IPM-Representative

Hon. KIM JOHN ELCO E. CANTOS  
SK Federation President

**CERTIFIED TRUE AND CORRECT:**

PERLITA L. PAZ  
Secretary to the Sanggunian

**ATTESTED:**

Hon. RAMON G. MAGBANUA  
Municipal Vice Mayor/Presiding Officer

**APPROVED:**

Hon. ERNELO C. VILLAS  
Municipal Mayor  
Date Signed: April 20, 2021