



Republic of the Philippines
Province of Cebu
Municipality of Badian
Office of the Sangguniang Bayan
supofficebadian@gmail.com



13th SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 42ND REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF BADIAN, CEBU HELD ON APRIL 20, 2026, MONDAY, AT THE MUNICIPAL SESSION HALL

PRESENT:

Honorable Doris M. Silvano	- Vice Mayor/Presiding Officer
Honorable Michelle E. Bitangga	- SB Member
Honorable Carmencita L. Lumain	- SB Member
Honorable Maricar L. Lumain	- SB Member/Pro Tempore
Honorable Joseph D. Balbona	- SB Member
Honorable Kyrene Vesta A. Tabanao	- SB Member
Honorable Marites S. Gramatica	- SB Member
Honorable Sergio Julius C. Agravante	- SB Member
Honorable Jim J. Amarado	- SB Member
Honorable Dennis C. Divinagracia	- LNBP
Honorable Mark Anthony M. Avenido	- SKPP

6/2/2026
9:58
[Signature]

ABSENT:

NONE

Municipal Ordinance No. 18 – 2026

AN ORDINANCE REVISING THE POLICIES AND REGULATIONS OF THE BADIAN KAWASAN CANYONEERING ADVENTURE, EMPOWERING THE LOCAL GOVERNMENT UNIT OF BADIAN IN ITS MANAGEMENT OF OPERATIONS, REINFORCING ITS FISCAL AUTONOMY, AND PROVIDING FEES FOR PENALTIES THEREOF.

Sponsored by: Maricar L. Lumain

WHEREAS, Section 5, Article 10 of the Philippine Constitution guarantees every Local Government Unit the right to create its own sources of revenue and to levy taxes, fees, and charges, consistent with the basic policy of local autonomy, with all collections accruing exclusively to the local government;

WHEREAS, Section 16, Chapter 2, Title One, Book II of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers Local Government Units to exercise powers expressly granted, necessarily implied, or essential for efficient governance and the promotion of the general welfare;

WHEREAS, Section 186, Chapter 5, Title One, Book II of the same Code authorizes Local Government Units to impose reasonable fees and charges not otherwise covered by national laws, provided these are fair, non-oppressive, and enacted only after proper public consultation;

WHEREAS, the Municipality of Badian is blessed with extraordinary natural treasures, particularly the world-renowned Kawasan Falls and the thrilling canyoneering adventure experience, which are vital drivers of our local economy and source of pride for our community;

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WHEREAS, recognizing the immense value of these assets, there is a compelling need to revise the existing policies and regulations governing the Badian Kawasan Canyoneering Adventure to ensure its effective management, orderly operations, and long-term sustainability;

WHEREAS, this measure aims to empower the Local Government Unit of Badian in its oversight functions, reinforce its fiscal autonomy, and establish the necessary fees and penalties to ensure compliance and public safety.

NOW THEREFORE the Sangguniang bayan of Badian, Cebu in its session assembled hereby enact this ordinance to wit:

BE IT ORDAINED BY THE SANGGUNIANG BAYAN, MUNICIPALITY OF BADIAN, PROVINCE OF CEBU, in regular session assembled that:

Section I. Title: This ordinance shall be entitled as the "The Revised Badian Kawasan Canyoneering Ordinance of 2026".

Section II. Policy. It shall be the policy of the LGU-Badian to:

1. Promote responsible, sustainable, and community-based tourism that safeguards the natural environment, cultural heritage, and safety of all stakeholders involved in the Badian Kawasan Canyoneering Adventure;
2. Empower the Local Government Unit of Badian with the authority to manage, regulate, and oversee all tourism activities within its territorial jurisdiction in accordance with its local mandate and in pursuit of self-reliance;
3. Exercise its fiscal autonomy by creating and administering its own tourism revenue mechanisms, ensuring that tourism income directly benefits environmental protection, local infrastructure, community development, and efficient public service delivery;
4. Establish a fair and enforceable regulatory framework for all tourism operators, guides, and participants to maintain order, accountability, and quality standards in the conduct of canyoneering operations;

Uphold the right of the LGU to formulate and implement policies that prioritize the welfare of its constituents, the integrity of its natural resources, and the long-term sustainability of the tourism industry.

Section III. Definition of Terms. As used in this ordinance the following shall mean as follows:

1. **Activity** - refers to the canyoneering adventure/tour.
2. **Adjacent Parking** – refers to a designated parking space or area that is located within close proximity to the Canyoneering Shop. It is situated immediately beside or in front of from the main point of access.
3. **Badian Kawasan Canyoneering Adventure** – is the canyoneering adventure tour of LGU-Badian
4. **Badianganon** - herein referred to as a person who is a local resident, or who was either born, or raised in Badian, or whose parents are Badianganons, or a person married to a local resident.
5. **Canyoneering Tour Guide** – the person whose occupation is to accompany, assist, and attend to the needs of the guest to ensure their safety and enjoyment during the canyoneering activity, he or she must have guided at least two (2) canyoneering trips per month;
6. **Canyoneering Providers/Operators** – licensed business operators in the service of engaging or offering canyoneering adventure packages duly accredited by the municipality;
7. **Canyoneering Sector** – refers to the canyoneering association and its members of canyoneering operators/providers, including its tie-ups of guides and tourist transport service providers.
8. **Canyoneering Shop** – A commercial building, which is primarily intended to cater guests availing of the canyoneering adventure.
9. **Guest** – a tourist or visitor availing of the canyoneering adventure;
10. **Landowners** – the legal owners of the land whose portion of properties are accessed or traversed for the canyoneering adventure activity route.
11. **Local Residents** – refers to any person who resides in the Municipality of Badian for a period of at least six (6) months.

12. **Stakeholders** – the host municipality, host barangays, the canyoneering sector and the affected landowners along the canyoneering route;
13. **Tourist Police** – the PNP uniformed personnel fielded to secure and maintain peace and order in a tourist area;
14. **TREAT** – Tourist Response and Emergency Assistance Team
15. **Hydration Kit** - essentials for hydration and energy;
16. **Price Undercutting** - refers to any act, scheme, arrangement or representation, whether or direct or indirect, which results in the reduction of the prescribed regulated tourist rate, including but not limited to discounts, promos, rebates, free services, inflated allocations, hidden deductions, bundled pricing, or false declarations.
17. **Force or Pressured tipping** – refers to any act of directly or indirectly demanding, insisting, suggesting with expectation, or influencing a tourist to give tips or additional payment beyond the officially approved fees, in a manner that creates obligation, discomfort, intimidation, or undue pressure.

Section IV. The Activity. The canyoneering adventure tour in this municipality is herein called as the Badian Kawasan Canyoneering Adventure or Badian Canyoneering for brevity which is a down-streaming activity in Matutinao River that starts from Sulsogan Entry Point and exits at Barangay Matutinao proper. The operation hours shall start from 6:00 A. M. until 6:00 P.M., with the last admission of guest at 3:00 P.M.

Section V. Fees for Badian Kawasan Canyoneering Adventure.

(1) There shall be an imposed Tourist Fee in the amount of Two Thousand Pesos (P2,000.00) for the Badian Kawasan Canyoneering Activity. The following is the breakdown of the prescribed rate:

(A) Local Government of Badian		-	P1,300.00
Breakdown:			
a.	Regulatory & Service Fee	-	P500.00
b.	Environmental & User's Fee	-	P100.00
c.	Hydration Kit	-	P100.00
d.	Tour Guide	-	P600.00
(B) Accredited Operator		-	P700.00
Breakdown:			
a.	Accredited Operator's share	-	P400.00
c.	Food Allocation	-	P200.00
d.	Canyoneering Gear/Equipment	-	
	Rental	-	P100.00
Total			P2,000.00

(2) The Two Thousand Pesos (Php 2,000.00) for the Badian Canyoneering is hereby declared a **STRICT, UNIFORM, AND NON-DISCOUNTABLE REGULATED RATE**. Any Accredited Operator, tour guide, Tour Agency, or any person acting on their behalf directly or indirectly offering, advertising, publishing, implying or implementing any form of price undercutting, reduction, discount, rebate, refund, cashback, promo, incentive, bundled discount, free add-on, or any scheme that results in the guest paying less than the prescribed regulated rate shall be penalized under this Ordinance.

Section VI. Disbursement and Collection Policy.

(1) The shares due to the Accredited Operators arising from the Badian Kawasan Canyoneering Adventure fees shall be disbursed on a weekly basis by the Local Government Unit of Badian, subject to the usual accounting, auditing, and documentation requirements of the LGU.

(2) Similarly, the corresponding shares of the Tour Guides shall be disbursed on a weekly basis by LGU-Badian, following the same period and in accordance with applicable rules and regulations.

(3) For clarity and transparency, no Accredited Operator shall collect any form of fee, contribution, or deduction from the Tour Guides, whether directly or indirectly, except for the mandatory insurance, as

may be required by law, policy, or duly issued guidelines. Any other collection not expressly authorized herein shall be strictly prohibited.

Section VII. Sharing Scheme. A sharing scheme is herein formulated to be applied on the Fifty Percent (50%) of the One Hundred Pesos (P100.00) Environmental & User's Fee, as stated under Section V (1) (A) (b) hereof. The amount of Fifty Pesos (P50.00) shall be distributed among stakeholders, as follows, subject to COA rules and regulations:

Landowners	-	34% (P17.00)
Brgy. Matutinao	-	23% (P11.50)
Brgy. Sulsogan	-	23% (P11.50)
Brgy. Balhaan	-	20% (P 10.00)

Section VIII. Administration of Proceeds.

1. The total amount of Five Hundred Fifty Pesos (P550.00) coming from the Regulatory and Service Fee amounting to Five Hundred Pesos (P500.00), and the 50% of the Environmental and User's fee amounting to Fifty Pesos (P50.00), shall be allocated for the following purposes:

General Fund:

30% - Educational and Scholarship Programs
70% - Tourism Development, Operations and Promotion

2. The respective fees due to the landowners and host barangays, as provided in the preceding section, shall be accordingly recorded in the Trust Liability Account under the General Fund Account, and shall be released on a monthly basis.
3. A memorandum of agreement shall be executed by and between the landowner/s and the Municipal Government of Badian as one of the requirements for the landowner's eligibility to claim the share as provided under Section VII.

Section IX. Qualifications and Requirements of the Canyoneering Sector:

A. Canyoneering Operator.

1. Shall be a legitimate canyoneering provider (holder of the pertinent license/permit/clearance/certificate); all permits shall be displayed at the reception area;
2. Shall be duly accredited by the Municipal Tourism Office.
3. Of good moral character.
4. Not a drug user/abuser/peddler;
5. Shall have well-behaved, competent, skilled, trained and experienced canyoneering guide who shall be enrolled to statutory membership such as but not limited to, SSS and Philhealth;
6. Shall keep a log book for its guests showing the ff.: name and address, emergency contact number and person, abilities like swimming, etc.; health/medical concern, among others;
7. Shall conduct a briefing/orientation for their guest;
8. Shall have a minimal environmental impact plan which includes advice on proper solid waste disposal, respect for nature, local culture, and the like;
9. Shall have a safety management plan for effective rescue operation and emergency response plan;
10. Shall take responsibility for the safety and utmost convenience of their guest including that of their comfortable transport to and from the site, and as such, shall see to it that its partner tourist transport service is dependable, have good manners and conduct, and are well disciplined;
11. Shall maintain a blood pressure monitor provide whistles, first aid kit, flashlight and rescue ropes to their guides which will be inspected quarterly by the MDRRMO;
12. Shall have CCTV installed in their shop premises;
13. Shall conduct regular necessary training for their guides;
14. Shall provide feedback boxes for their guests;

15. Shall provide a waiver of liability that will be signed by all guests prior to the activity;
16. Shall have complied with the social responsibility activity as required per this ordinance;
17. Shall have a designated canyoneering shop and parking area which shall be subject to the following minimum standard:

- a. Adjacent Parking – shall be determined, assessed and approved by the Municipal Engineer as to the carrying capacity to the expected maximum number of vehicles to be accommodated.
- b. Canyoneering Shop- shall be determined, assessed and approved by the Municipal Engineer having the following minimum requirements:
 1. Clean and accessible shower/comfort room;
 2. Clean potable water;
 3. Tables and chairs;
 4. Secure storage area;
 5. Disinfection area for gears;
 6. Material Recovery Facility (MRF);
 7. Visible Signage of Business Name; and
 8. All other necessary facilities as required by the Municipal Tourism Office and Municipal Engineering Office.

B. Canyoneering Guide.

1. Shall be duly accredited by the Municipal Tourism Office;
2. Must be a bona fide resident and voter of the Municipality of Badian;
3. At least 18 years of age;
4. Physically and mentally fit;
5. Possesses a good moral character
6. Not a drug user/peddler;
7. Maintain personal cleanliness/hygiene;
8. Has undergone annual mandatory training/seminar on tourism and risk reduction and disaster management policies;
9. Shall always bring a whistle, and first aid kits, portable flashlights and shall bring rescue ropes as provided by the operator concerned.
10. Shall have basic knowledge on solid waste management;
11. Shall have at least comprehensible communication skills in English and Filipino;
12. Shall have paid the fees as required.
13. Shall wear a standardized uniform of one distinct color, along with appropriate footwear, to ensure they are easily identifiable and properly equipped throughout the entire canyoneering course.

Section X. Prescribed Tourist-To-Guide Schedule of guide rates. The Canyoneering operator shall strictly conform with the prescribed tour guide rates:

No. of Guests	No. of Guides	Gross Rate per Guide
1	1	P 600
2	1	P 1,200
3	2	P 900
4	2	P 1,200
5	2	P 1,500
6	3	P 1,200
7	3	P 1,400
8	4	P 1,200
9	4	P 1,350
10	4	P 1,500

Upon extreme river condition or peak seasons, this prescribed ratio may be modified upon assessment and recommendation of the MDRMO and approval of the Office of the Mayor.

Section XI. Prohibitions.

(A) The following are prohibited acts under this Ordinance:

1. Possession of firearms, cigarettes, e-cigarettes, dangerous weapons, illegal drugs, and alcoholic beverages.
2. Indecent exposure, immoral conduct, drunkenness;
3. Posting or sharing false information, derogatory and/or offensive comments, or offensive posts on different media platforms, including social media, causing serious damage to the image of the canyoneering industry;
4. Waterfall jumping at the first level of Kawasan falls;
5. Vandalism;
6. Disturbance of natural resources, and wildlife;
7. Improper throwing of garbage or leaving any rubbish.
8. Any form of discourtesy, harassment or acts of extortion, and other conduct of unbecoming.
9. Drug peddling;
10. The use of single-use plastics (SUPs) except for hydration containers which should be used responsibly.
11. Damaging, defacing, removing, or otherwise altering any sign, structure, fixture, or other improvements by the LGU-Badian.
12. Provoking or engaging in fight, insulting and indecent language or in any conduct or behavior tending to breach public peace or causing public disturbance.
13. Directly offering, accepting, advertising a lower rate than that of the prescribed tourist rate.
14. Any form of forced or pressured tipping.
15. Price undercutting and rate manipulation such as: directly or indirectly offering, advertising, publishing, implying, or implementing any rate lower than the prescribed Tourist Fee, including but not limited to:
 - a. discounts, promos, or seasonal pricing;
 - b. rebates, refunds, or cashback schemes;
 - c. free or subsidized services intended to offset the prescribed rate;
 - d. collusion with tour agencies to mis declare or manipulate fees;
 - e. false allocation or misrepresentation of the official fee breakdown.

(B) Any advertisement, social media post, booking confirmation, receipt, invoice, or guest testimony indicating a price lower than the prescribed rate shall constitute prima facie evidence of price undercutting, unless proven otherwise by the operator.

(C) All other acts or omissions concerning the canyoneering activity, which are contrary to law, public safety, established guidelines or ethical standards, which are not specifically mentioned in the foregoing provisions, shall likewise be deemed violations subject to the penalties and sanctions as may be determined by the Municipal Tourism Compliance Task Force.

(D) All formal complaints arising from or in connection with the Badian Kawasan Canyoneering Adventure shall be filed in writing and formally addressed to the Office of the Municipal Mayor, through the Municipal Tourism Office, which shall receive, docket, and endorse the same for appropriate action in accordance with existing laws, rules, and procedures.

Section XII. Social and Environmental Responsibilities. All stakeholders are bound to carry out their respective social and environmental responsibilities actively participating in the preservation and conservation of the natural and aesthetic values of the canyoneering routes being vital to the river ecosystem. As such, all stakeholders shall take part in the tree planting activity which shall be conducted at least once a year to be spearheaded by the LGU-Badian for the purpose of preserving the natural beauty of the Matutinao river and the integrity of its ecosystem, covering the areas of the three host barangays, namely: Sulsogan, Matutinao, and Balhaan.

Section XIII. Suspension of Canyoneering Activity. The canyoneering activity shall be suspended on the following instances/occasions.

1. Inclement Weather Conditions or Force Majeure – Upon actual assessment and recommendation of the MDRRMO.
2. Observance of Good Friday – to give due respect to local tradition and religious culture.
3. 22nd of September – Fiesta Day of Barangay Matutinao, the host barangay for the canyoneering exit. Closure shall be observed on this date to avoid causing tourist inconvenience due to traffic disturbances, and overcrowding resulting from the festivities.
4. 3rd Wednesday of the month – Monthly clean-up day and CEBECO clean-up schedule

Section XIV. Free Entry of Local Residents. Local residents of Sitio Ylaya, Matutinao, Badian, Cebu and residents of nearby Sitios and upper Barangays who are using as its only convenient access to and from their homes the usual passage within the canyoneering route are free to use the same.

Section XV. Site Security and Safety. An integral security system must be established to be composed of the Barangay Tanods of the host barangays and the PNP-Badian Station to be complemented by the Tourist Police. The LGU-Badian shall install a CCTV system along the route for monitoring purposes.

Section XVI. Solid Waste Management. Vendors, guests, and guides shall be responsible to bring down all solid waste generated during the activity and shall deposit the same in the receptacles as provided in strategic places along the route.

Section XVII. Safety Gear Compliance. All canyoneering gears and equipment to be used in the Badian Kawasan Canyoneering Adventure shall, at all times, comply with the safety standards prescribed by the Municipal Disaster Risk Reduction and Management Office (MDRRMO) and other applicable laws, rules, and guidelines.

In the event that any gear or equipment is found to be defective, substandard, expired, damaged, or otherwise unsuitable for safe use, the MDRRMO is hereby authorized to immediately confiscate said gear or equipment in the interest of public safety.

Confiscated gears shall be properly inventoried, documented, and disposed of or returned only upon compliance with the required safety standards, subject to existing MDRRM, and LGU rules and regulations.

Section XVIII. Tourist Response and Emergency Assistance Team (TREAT-Canyoneering). A Tourist Response and Emergency Assistance Team (TREAT) shall be organized to act as community primary responder, providing a quick response in emergency situations, such as during disaster, or when accidents happen at the canyoneering site. As a minimum requirement, the team shall be able to provide basic first aid prior to the arrival of an ambulance or professional emergency response and must have basic knowledge of rescue and recovery operations. The team shall be composed of the MDRRMO, Badian-RHU Medical Team, representatives from the canyoneering sector, host barangay, and land owners; supplemented by the Tourist Police and the PNP-Badian Station. The team shall undergo regular refresher training every quarter. The Local Chief Executive shall issue an executive order for this purpose.

Section XIX. Creation Of the Municipal Tourism Compliance Task Force. A Municipal Tourism Compliance Task Force is hereby created to enforce this ordinance.

COMPOSITION:

- Municipal Mayor or his designate – Chairperson
- Representative from Sangguniang Bayan (Tourism Committee) – Vice Chairperson
- Municipal Tourism Officer – Secretariat
- Municipal Environment and Natural Resources Officer (MENRO) – Member
- Municipal Disaster and Risk Reduction Management Officer – Member
- Chief of Police or representative - Member
- Municipal Health Officer - Member
- 1 Representative from Canyoneering Operator – Member
- 1 Representative from Canyoneering Tour Guide – Member

FUNCTIONS:

1. Actively monitor and inspect compliance of tourism operators and guides
2. Investigate complaints and violations
3. Recommend sanctions and penalties
4. Submit quarterly reports to the Office of the Mayor
5. Conduct test bookings, undercover audits, and digital monitoring of online advertisements and booking platforms
6. Issue Cease-and-Desist Orders immediately upon finding of probable cause.

Section XX. Registration of Partner Tour Agencies. All tour agencies partnering with Accredited Canyoneering Operators in the Badian Kawasan Canyoneering Adventure must be duly registered with the Municipal Tourism Office of Badian.

Accredited Operators are strictly prohibited from entering into partnerships or arrangements with any tour agency that is not registered with the Municipal Tourism Office.

Any Accredited Operator found to be partnering with an unregistered tour agency shall be subject to administrative penalties, without prejudice to the imposition of other sanctions as may be provided under existing laws, ordinances, and applicable rules and regulations.

Vehicles operated or utilized by duly registered partner tour agencies shall be issued an official registration sticker by the Municipal Tourism Office. Said sticker shall be conspicuously displayed on the vehicle at all times as proof that the tour agency is registered and duly authorized to operate and partner with Accredited Operators under the Registration of Partner Tour Agencies.

Failure to display the required registration sticker shall constitute prima facie evidence of non-registration and shall be subject to appropriate sanctions in accordance with existing rules and regulations.

Section XXI. Allocation for Tourism Marketing and Promotion. To ensure the continuous growth, competitiveness, and visibility of Badian Canyoneering and other tourism destinations within the Municipality of Badian, there shall be an allocation for tourism marketing and promotional initiatives.

The allocated amount shall be utilized for, but not limited to, the following:

1. Marketing campaigns promoting Badian Canyoneering and other municipal attractions across various platforms.
2. Production of promotional materials, including print, digital, and audiovisual content.
3. Participation in tourism fairs, exhibits, and events that highlight Badian's attractions.
4. Capacity-building activities related to tourism branding, digital marketing, and visitor engagement.

This provision aims to strengthen the municipality's tourism presence, boost visitor arrivals, and support the overall development and sustainability of Badian's tourism industry.

Section XXII. Implementing Rules and Regulations (IRR). The Municipal Tourism Office shall issue the IRR of this ordinance within 30 days upon approval.

Section XXII. Penalties. For any violation of this Ordinance, there shall be a penalty imposed as follows:

(A) For Accredited Guides.

1. First Offense – One Thousand Pesos (P1,000.00)/ per offense, two (2) days community service (eight hours a day) and suspension of 30 days
2. Second Offense – One Thousand Five Hundred Pesos (P1,500.00)/ per offense, Three (3) days community service (eight hours a day) and suspension of 90 days
3. Third Offense - Two Thousand Five Hundred Pesos (P2,500.00)/ per offense and revocation of license/ perpetual ban

(B) For Accredited Operators.

1. First Offense – Two Thousand Five Hundred Pesos (P2,500.00) / per offense and Thirty (30) days suspension of operation;
2. Second Offense - Two Thousand Five Hundred Pesos (P2,500.00)/ per offense and Forty-Five days (45) days suspension of operation;
3. Third Offense – Revocation of Business Permit.

(C) For any other person (Non accredited guide/operator).

1. First Offense – One Thousand Pesos (P1,000.00)
2. Second offense – One Thousand Five Hundred Pesos (P1,500.00)
3. Third offense – Two Thousand Five Hundred Pesos (P2,500.00) and subject to declaration as persona non grata.

The payment or service of the violation under this ordinance does not warrant the right to file a separate case in civil, criminal and administrative aspect against the violator.

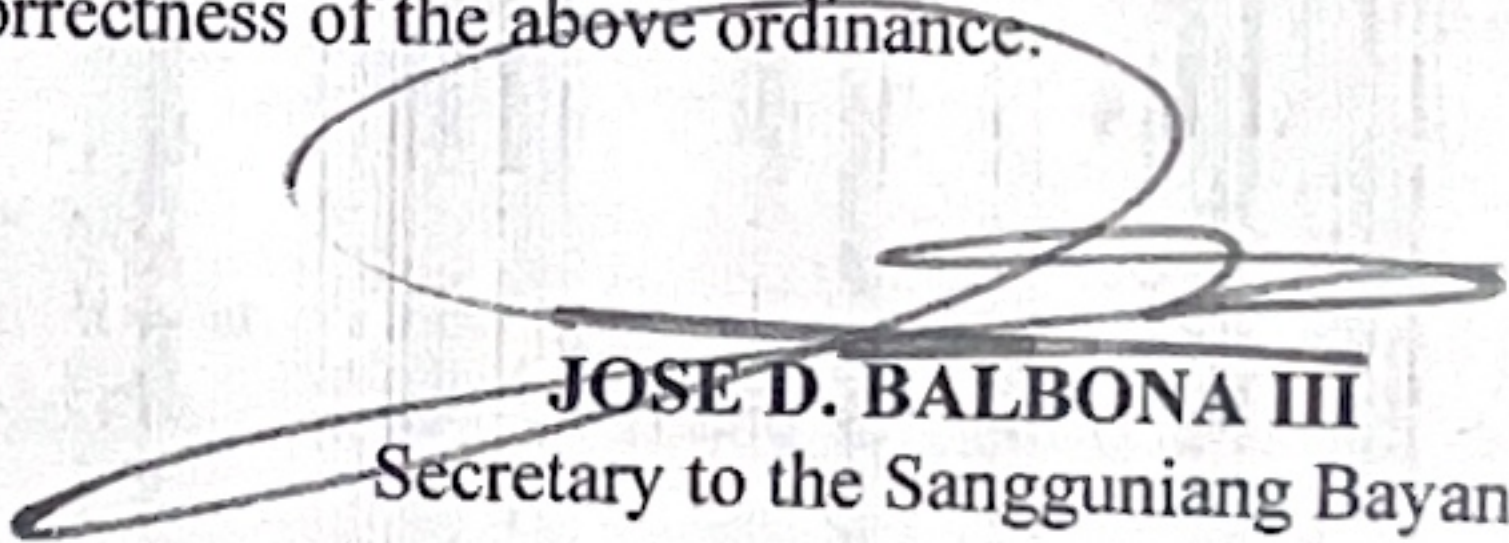
Section XXIII. Repealing Clause. Mun. Ord. No. 11-2023, is hereby repealed accordingly.

Section XXIV. Separability Clause. If any portion or provision of this ordinance is declared invalid by a competent court, other parts not affected thereby shall continue to be in full force and effect.

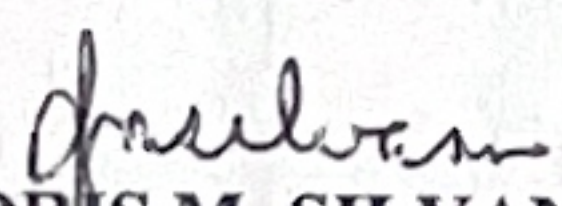
Section XXV. Effectivity. – This ordinance shall take effect upon approval of the Local Chief Executive.

ENACTED UNANIMOUSLY.

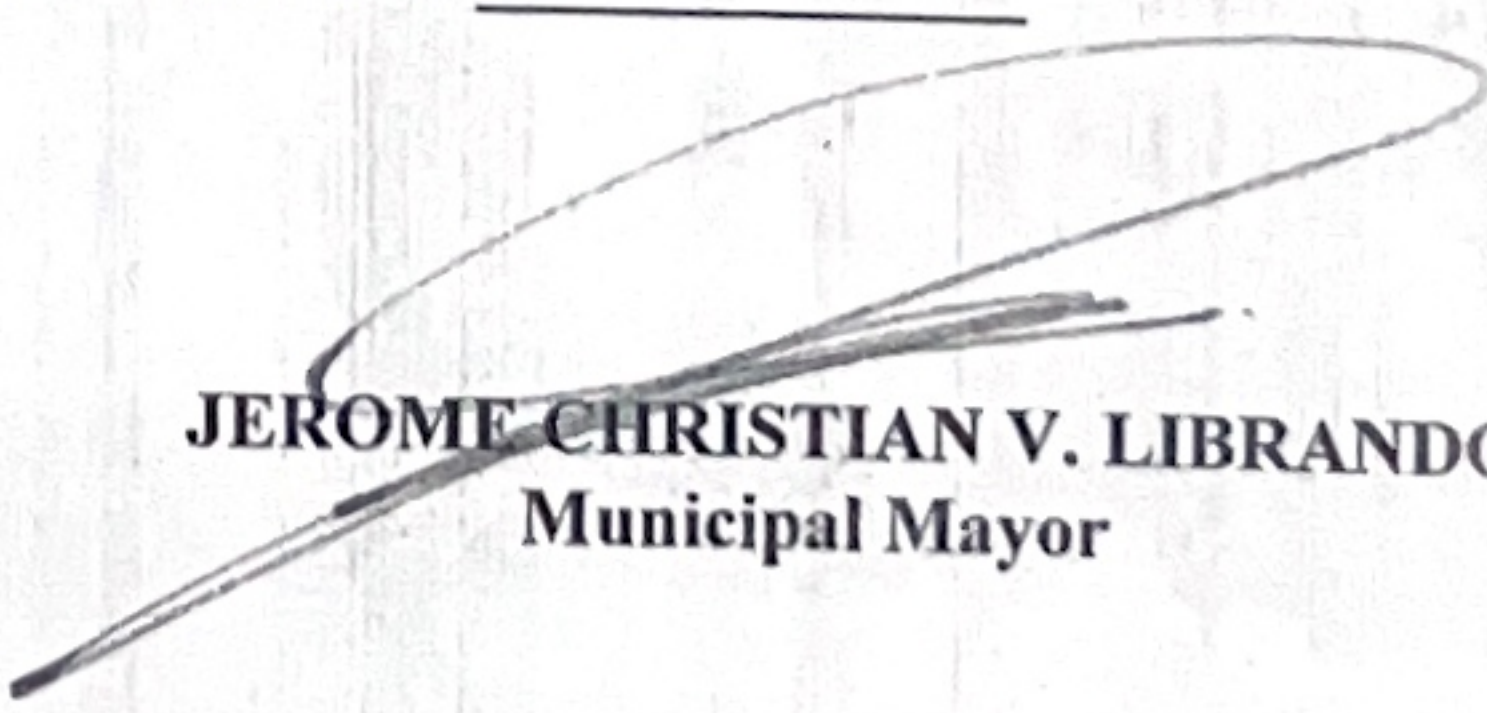
I HEREBY CERTIFY to the correctness of the above ordinance.


JOSE D. BALBONA III
Secretary to the Sangguniang Bayan

ATTESTED:


DORIS M. SILVANO
Vice Mayor/Presiding Officer

APPROVED: MAY 18 2026


JEROME CHRISTIAN V. LIBRANDO
Municipal Mayor