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City of Manila

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ORDINANCE NO. 9137

**AN ORDINANCE ESTABLISHING AN ENVIRONMENTAL USERS' FEE SYSTEM IN
THE CITY OF MANILA**

PRINCIPAL AUTHORS: **HON. ATTY. JAYBEE S. HIZON**, **HON. RAYMUNDO "Mon" R. YUPANGCO**, Majority Floor Leader, **HON. LOUISA MARIE "Lady" J. QUINTOS-TAN**, **HON. DON JUAN "DJ" BAGATSING**, **HON. MC BOBBY G. LIMYUEN**, **HON. DRA. IRMA C. ALFONSO-JUSON**, **HON. KAREN C. ALIBARBAR**, **HON. KUYA DOK FRANCIS MICHAEL U. ALMIRON**, **HON. ARLENE MAILE I. ATIENZA**, **HON. RAFAEL "Che" P. BORROMEO**, **HON. RUBEN "Dr. J" F. BUENAVENTURA**, **HON. VOLTAIRE "Caloy" D. CASTAÑEDA**, **HON. EUNICE ANN DENICE G. CASTRO**, **HON. JOAQUIN ANDRE "JD" D. DOMAGOSO**, **HON. JESUS "Taga" E. FAJARDO, JR.**, **HON. PAMELA "Fa" G. FUGOSO-PASCUAL**, **HON. ROSALINO "Jhun" P. IBAY, JR.**, **HON. MARK ANTHONY "Tol Mac" A. IGNACIO**, **HON. ATTY. ERNESTO "Jong" C. ISIP, JR.**, **HON. JEFFERSON "Jeff" C. LAU**, **HON. FERNANDO "Doc" S. MERCADO**, **HON. ERICK IAN O. NIEVA**, **HON. CHARRY R. ORTEGA**, **HON. ELMER "Joel" M. PAR**, **HON. SCIENCE A. REYES**, **HON. DARWIN "Awi" B. SIA**, **HON. JOHN CHRISTOPHER "Bolong" SY**, **HON. EDWARD M. TAN**, **HON. CHRISTIAN PAUL L. UY**, **HON. LUCIANO "Lou" M. VELOSO**, **HON. LEILANI MARIE H. LACUNA** and **HON. TIMOTHY OLIVER "Tol" I. ZARCAL**, President Pro-Tempore



EXPLANATORY NOTE

Section 5, Article X of the 1987 Constitution provides that "each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees and charges shall accrue exclusively to local governments".

Section 16, Article II of the Constitution likewise provides that: "the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature".

The City of Manila is one of the oldest port City in the country.

The City of Manila is a coastal city, featuring Manila Bay -a cultural, historical and tourist hot spot - and Pasig River, the lifeblood of Metro Manila.


Through the years, the rising population of the City of Manila, as well as years of neglect, caused significant pollution, environmental degradation, destruction of habitats and deterioration of water quality to Manila Bay and Pasig River.

Pollution in Manila Bay and Pasig River, ranked as the world's most polluting river, poses a great danger, not only to the flora and fauna of the said waters, but also to the residents of the City of Manila.

Section 16, Chapter II, Title One, Book I of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" provides that "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, 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. xxx".

Section 186, Chapter V, Title One, Book II of the "Local Government Code of 1991" provides 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 provisions 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".

There is an urgent need to preserve Pasig River, Manila Bay and all other waters surrounding the City of Manila for current and future citizens of Manila.


ATTY. JAYBEE S. HIZON
Councilor, Fifth District
Manila

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. Title. - This ordinance shall also be known as the “**Manila Environmental Users’ Fee System Ordinance**”.

SEC. 2. Declaration of Principles and Policies. - It is hereby declared the policy of the City of Manila:

- a) To promote, conserve and ensure sustainable and equitable utilization of its coastal areas and aquatic resources in conformity with the Philippine Fisheries Code of 1998 and other relevant environmental laws;
- b) To ensure the wise utilization, protection, conservation and management of the waters of the City of Manila on a sustainable basis and of its natural resources with the necessity of maintaining a sound ecological balance, protecting and enhancing the quality of the environment;
- c) To enhance, promote and sustain tourism activities in the City of Manila through the conservation and protection of the waters surrounding the City’s various tourist destinations;
- d) To establish additional sources of funding which shall be applied to finance conservation, protection and management of the coastal and aquatic resources and seascape of the City of Manila;
- e) To adopt the integrated coastal management as a framework for the sustainable and equitable management and development of the people’s quality of life;
- f) To adopt preventive or anticipatory action in the face of scientific uncertainties to avert possible and sometimes irreversible agents and users;
- g) To share responsibility for environmental protection, remediation, restoration and development by allocating costs to responsible agents and users;
- h) To implement sustainable tourism development plans and projects aimed at promoting and nurturing the cultural and ecological values of the City of Manila and promoting it as a safe and tourist-friendly destination;
- i) To generate funds by identifying additional sources of revenues to finance the implementation of environmental and tourism plans and projects;
- j) To establish and implement partnerships and linkages among the local government, the Department of Environment and Natural Resources (DENR), the Department of Tourism (DOT) and other concerned national government agencies, non-governmental organizations (NGOs), people’s organizations (POs), indigenous people, fisherfolks and other stakeholders.

SEC. 3. Definition of Terms. - As used in this Ordinance, the following terms shall mean as follows:

- a. **Authorized and designated collectors** – Any person natural or juridical who applied and qualified as collectors and has an existing license issued by the Local Chief Executive (LCE) to collect the environmental fee;

- b. **Coastal area** - refers to a band of dry land and adjacent ocean space (water and submerged land) in which terrestrial processes and uses directly affect oceanic processes and uses, and vice versa; its geographic extent may include areas within a landmark limit of one (1) kilometer from the shoreline at high tide to include mangrove swamps, brackish water ponds, nipa swamps, estuarine rivers, sandy beaches and other areas within a seaward limit of two hundred meters (200m) isobaths to include coral reefs, algal flats, seagrass beds and other soft-bottom areas. (Section 4 (9), Fisheries Code of 1998);
- c. **Environmental Users Fee (EUF)** - refers to charges imposed on any person who visits/enters the City of Manila and not being a resident thereof;
- d. **Marine biodiversity** - refers to the variability among living organisms in marine and other aquatic ecosystems and the ecological complexes of which they are part, this includes diversity within species, between species and of ecosystems;
- e. **City Waters** – refers to include not only streams, lakes, inland bodies of water and tidal waters within the City of Manila 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 City touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen kilometers (15km) from such coastline. Where two cities and/or municipalities are so situated on opposite shores such that there is less than thirty kilometers (30km) of marine waters between them, the third line shall be a line equidistant from the opposite shores of the respective municipalities (Republic Act No. 8550 otherwise known as the “Fisheries Code of 1998”);
- f. **Resident** - any natural person who possesses any of the following qualifications:
 - 1. Residing permanently in the City of Manila;
 - 2. Residing permanently in the City of Manila but stays outside of the City occasionally or most of the time;
 - 3. Exercises his or her right to vote in the City of Manila;
 - 4. Those who owns real property in the City of Manila and their immediate family. Immediate family shall mean those relatives within the first degree of consanguinity.
- g. **Tourist/Guest/Traveler** – refers to any natural person, not being a resident of the City of Manila who enters the City through any ports, harbors, seaports, wharfs, anchorages, piers, moors, boatyards, docks, or any other aquatic ports of entry;
- h. **Department of Public Services (DPS)** – is the Department primarily tasked to carry out the provisions of this Ordinance and maintain the cleanliness and safety of the City Waters;
- i. **Collection Agent** - any person natural or juridical who qualified as collector and has an existing appointment issued by the City Mayor to collect the environmental fee;

- j. **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.

SEC. 4. Establishment, scope and application of the EUF System. - It is hereby established an Environmental Users Fee System (EUF), which effectively allocates responsibility for environmental management, development, protection and remediation by charging a certain amount for the use and/or enjoyment of the City's environment and natural resources.

SEC. 5. Scope and Coverage. - The EUF System shall be enforced within the jurisdiction of the City of Manila including its City Waters and all other natural resources.

SEC. 6. EUF Collection. - The collection of the EUF shall be in accordance with the following:

- 6.1. **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 passengers, tourists, travelers and guests upon entering the City of Manila through any of its ports, harbors, seaports, wharfs, anchorages, piers, moors, boatyards, docks, or any other aquatic ports of entry by means of motorized boats, ferries, ships, yachts or any other aquatic vehicle. All funds collected shall form part of the income of the City of Manila but shall be deposited in a Trust Fund specifically earmarked for the purposes provided herein.
- 6.2. **Identification System** - A mechanism for determining that an individual is a bona fide resident, tourist, and guest/traveler or exempted from the EUF payment shall be established – the implementation, rules and regulations of which shall be drafted by the DPS.
- 6.3. **Collection Sites** - EUF shall be collected at identified collection sites identified and set up by the DPS at entry points for all tourists, guests and travelers.
- 6.4. **Collecting Agents** - The City Treasurer shall be the principal officer responsible for collecting the EUF. To assist him in the collection, the City Mayor may appoint collecting agents.
- 6.5. **Review of EUF system** - The City Council 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.
- 6.6. **Trust Fund** - A trust fund shall be established as a special account to receive sixty percent (60%) EUF collection and to finance approved projects or activities, earmarked for the protection, and/or rehabilitation of Manila Bay and Pasig River, subject to the provisions of Section 8 of this Ordinance.
- 6.7. **Check and Balance** - The EUF funds shall be disbursed by the City Treasurer and undergo regular monitoring, as well as auditing procedures, including audit by the Commission on Audit.

SEC. 7. Administration and Management of the Environmental Fee. - The City Mayor shall administer and manage all the collection, disbursement and allocation of the funds collected based on the purposes identified in this Ordinance. An annual audit shall be undertaken by Commission on Audit of all funds collected from the authorized and designated collectors to ensure efficiency and transparency.

- 7.1. The DPS shall perform a recommendatory and oversight function in the management and use of the funds, specifically in reviewing and recommending to the City Council for approval such priority activities and fund appropriation.

SEC. 8. Use of the Environmental Fund. - Except for the endowment fund, established under Section 6.6, no funds generated from the collection of the environmental fund or any portion thereof, shall be used directly or indirectly for purposes, other than the following:

- 8.1. To fund projects such as research, training, sanitation treatment system and or promotion or use of appropriate technology among others that will ensure the protection, conservation and sustainable use of the natural environment;
- 8.2. To rehabilitate City Waters 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 environments which are considered tourist attractions 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;
- 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, and other terrestrial ecosystems whether for the aesthetic enjoyment of the general public or for the livelihood of fisher folk, 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 PNP, and volunteer groups subject to the limitations provided by law and this Ordinance;
- 8.7. To support, promote or undertake any or activities/endeavors similar to the foregoing in order to achieve the purposes of this Ordinance;

SEC. 9. Exemption. - The following shall be exempted from the payment of the environmental fund:

- 9.1 All residents of City of Manila shall be exempt from the payment of the environmental fee, provided he or she shows proof of such residency. Proof of residency includes passport, community tax certificate, voter's ID;
- 9.2 Filipino senior citizens;
- 9.3. Filipino children 12 years old and below or persons with disability;

9.4. Fishermen;

9.5. Members of the Philippine Navy, Philippine Coast Guard, Philippine Army, members of the Philippine National Police (PNP) Maritime Group and Officers of the Marina;

9.6. Those persons aboard government maritime vehicles;

9.7. The crew of maritime vehicles;

9.8. Users of the Pasig River Ferry System; and

9.9. Passengers going to and from Malacañang Palace compound.

SEC. 10. Penalties. - The following acts shall be prohibited for the purpose of this Ordinance:

10.1. Non-payment of the environmental fee shall be punishable by paying double the amount of the environmental fee without prejudice to the filing of appropriate criminal case;

10.2. 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 case;

10.3. 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 case;

10.4. Unauthorized collection of environmental fees 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;

10.5. Collection of environmental fees by a person not duly authorized by the City Mayor shall be punishable by imprisonment upon the discretion of court of competent jurisdiction.

SEC. 11. Appropriation. - An initial appropriation of Five Hundred Thousand Pesos (Php 500,000.00) shall be earmarked for the purpose of funding initial activities for setting up the necessary institutional mechanisms and processes that will ensure effective implementation of this Ordinance.

SEC. 13. Implementing Rules and Regulation. - The Department of Public Services (DPS) and the Committee on Environment of the City Council shall draft the Implementing Rules and Regulation of this Ordinance subject to the approval of the City Mayor.

SEC. 14. Mandatory Review. - The City Council shall undertake a mandatory review of the implementation of this Ordinance one (1) year after its effectivity in coordination with the DPS and other stakeholders, who shall make recommendations on any action regarding its implementation.

SEC. 15. 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.

SEC. 16. Effectivity. - This Ordinance shall take effect immediately upon approval by the City Mayor.

This Ordinance was finally enacted by the City Council of Manila on October 14, 2025.

PRESIDED BY:



ANGELA LEI "Chi" I. ATIENZA
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:



ATTY. HANS ROGER S. LUNA
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON OCT 28 2025



FRANCISCO "ISKO MORENO" DOMAGOSO

Mayor
City of Manila

ATTESTED:



MANUEL M. ZARCAL
Secretary to the Mayor

CLN: jhb/rmd/agv/egv/asr