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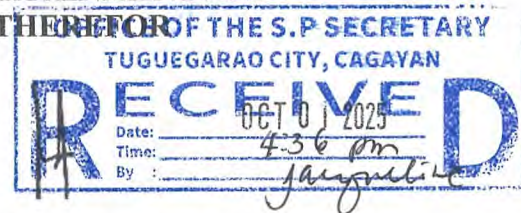
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CITY ORDINANCE NO. _____

DRAFT ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES AND CONSUMPTION THEREOF, FURTHER REGULATING THE OPERATIONS OF BUSINESS ESTABLISHMENTS AND PLACES OF ENTERTAINMENT AND AMUSEMENTS, AND PROVIDING PENALTIES THEREFOR

Authored by:

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WHEREAS, Section 5, Article II of the 1987 Constitution of the Republic of the Philippines declares that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, Section 16 of Republic Act 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.”

WHEREAS, Section 458 (1) [v] of the Local Government Code of 1991 empowers the Sangguniang Panlungsod to Enact ordinances intended to prevent, suppress and impose appropriate penalties for activities inimical to the welfare and morals of the inhabitants of the city such as habitual drunkenness in public places;

WHEREAS, the consumption of alcoholic beverages in places of entertainment and amusements, business establishments, and public places has the potential to impact the public safety, health, and welfare of residents and visitors of the city;

WHEREAS, incidents related to the sale and consumption of alcoholic beverages have been observed to contribute to disturbances, public nuisances, and disorderly conduct;

WHEREAS, the City seeks to establish regulations that balance the interests of business establishments, residents, and visitors, while ensuring a safe and enjoyable environment;

WHEREAS, the implementation of effective controls over the sale and consumption of alcoholic beverages is essential to prevent negative social and public health consequences;

WHEREAS, the City aims to reduce the likelihood of alcohol-related incidents, underage drinking, and public disturbances through the enactment of appropriate ordinances;

NOW, THEREFORE, be it **ORDAINED**, by the Tenth City Council of Tuguegarao, in session assembled, to enact:

SECTION 1. SHORT TITLE. This Ordinance shall be known as an **"ORDINANCE REGULATING THE SERVICE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN TUGUEGARAO CITY."**

SECTION 2. PURPOSE. This ordinance is enacted to regulate the sale, service, and consumption of alcoholic beverages products within Tuguegarao City by imposing an allowable period to engage thereof, and inculcating shared responsibility among the City Government, business owners, and the general public, ensuring the health, safety, and welfare of the community.

SECTION 3. DEFINITION OF TERMS. When used in this Ordinance, the following terms shall mean as follows:

- a. **ACCESS** - shall mean the ability or permission to enter, use, enjoy, or partake in the facilities, services, or activities provided by covered places under this Ordinance.
- b. **AUTHORITIES** — shall refer to either the Tuguegarao Component City Police Station or the barangay officials having territorial jurisdiction over the location where alcoholic beverage is served or consumed.
- c. **ALCOHOLIC BEVERAGES** - shall refer to any beverage containing ethanol, commonly known as alcohol, including but not limited to beer, wine, spirits, whiskey, brandy, gin, rum, vodka and any other foreign and local intoxicating drinks.
- d. **BUSINESS ESTABLISHMENTS** - shall encompass any physical premises, facility, or venue where commercial activities are conducted, including but not limited to bars, restaurants, nightclubs, and other establishments engaged in the sale of goods or services.
- e. **COMMOTION/PUBLIC DISTURBANCES** - refers to any disruptive behavior that disturbs the peace and safety of the public which including but not limited to fights, brawls, or any form of physical altercation or violent behavior that poses a threat to public safety, disorderly conduct, and destruction of property.
- f. **CONSUMPTION** - refers to the act of ingesting or imbibing alcoholic beverages, whether through drinking, swallowing, or any other means that results in the introduction of alcohol into the body.
- g. **IMMEDIATE VICINITY** - shall denote the surrounding area in close proximity to a business establishment or a place of entertainment or amusement as defined in this Section.
- h. **MINOR** - shall mean a person below 18 years of age.
- i. **PLACES OF ENTERTAINMENT OR AMUSEMENT** — refers to venues intended for public gatherings, recreational activities, and entertainment, such as clubs, bars, beer gardens, discos, theaters, concert halls, stadiums, stalls, and other similar establishments.
- j. **PROHIBITED ITEMS** — refers to objects or substances expressly forbidden under this ordinance, including but not limited to deadly weapons, firearms, explosives, prohibited drugs, or items deemed detrimental to public safety or order.
- k. **SERVICE** - refers to the act of providing, offering, selling, or dispensing alcoholic beverages to patrons, customers, or individuals within the premises of business establishments covered by this ordinance.

SECTION 4. SALE OF ALCOHOLIC BEVERAGES. The service and consumption of liquor and other alcoholic beverages is permitted only from 8:00 AM to 2:00 AM.

SECTION 5. RESTRICTION ON MINORS. It shall be unlawful to sell and serve liquor and other alcoholic beverages to minors. At all times, minors are strictly prohibited from purchasing, possessing, or consuming liquor and other alcoholic beverages.

Business establishments and places of entertainment or amusement may reasonably require a valid government-issued identification card (ID) to verify the age of a suspected minor before the service of alcoholic beverage. The refusal or failure of the to present a valid ID is a sufficient ground to deny service of alcoholic beverage.

SECTION 6. DUTY TO REPORT MINORS. Establishments providing entertainment, amusement, business services, and those dispensing alcoholic beverages are required to promptly report any instances of minors consuming alcohol within their immediate vicinity to the appropriate authorities for a period not later than two (2) hours from the moment of knowledge thereof.

SECTION 7. PROHIBITED ITEMS. Deadly weapons, firearms, explosives, prohibited drugs, or other items deemed detrimental to public safety or order shall be forbidden at all times in business establishments and places of entertainment and amusements covered under this ordinance.

SECTION 8. INSPECTION REQUIREMENT. All establishments shall designate one (1) employee or security guard to render guard duty and bodily search or inspection on customers for deadly weapons, firearms, explosives, and prohibited drugs during the permitted hours of service of alcoholic beverages; PROVIDED that in cases where the person to be searched or inspected is a female, the individual who will search shall also be female; or in her absence, any female employee of the establishment with the supervision of the guard on duty.

SECTION 9. DENIAL OF ACCESS. Any person found to possess the prohibited items enumerated under Section 7 of this Ordinance shall be denied access to the covered establishments unless they peacefully surrender the prohibited items in their possession.

Business establishments are further obliged to deny access to minors while places of entertainment or amusement are prohibited to serve alcoholic beverages to minors who attempt to make such purchases.

SECTION 10. DUTY TO PEACE AND ORDER. In case of commotions or public disturbances within their area or immediate vicinity and it appears that peace and order can no longer be contained, the owners of the business establishments serving alcoholic beverages, or their employees on duty must immediately contact authorities to suppress or contain the said disturbance.

SECTION 11. DISPLAY OF NOTICE. All establishments covered under this ordinance shall post a notice reminding the public of the provisions herein, subject to the monitoring of the City Business, Licensing, and Permits Office (BPLO).

SECTION 12. PENALTIES. Prohibited acts and omissions under this Ordinance shall be penalized in the following manner:

- A. Those who purchased or consumed beyond the allowable period to serve and consume liquor shall be subject to the following fines:
 - a. Five Hundred Pesos (P500) for the first offense
 - b. One Thousand Pesos (P1,000) for the second offense
 - c. One Thousand Five Hundred Pesos (P1,500) for the third offense

- B. Failure to comply with the duties imposed under Sections 6, 7, 8, 9, 10, and 11 of this Ordinance by the owners or operators of business establishments and places of entertainment or amusements shall be subject to the following fines/penalties:
 - a. Fine of One Thousand Pesos (₱1,000) for the first offense
 - b. Fine of Two Thousand Pesos (₱2,000) for the second offense
 - c. Fine of Five Thousand Pesos (₱5,000) for the third offense, and the revocation of business permit upon the recommendation of the BPLO.
- C. Minor offenders shall be dealt with in accordance with the provisions of Republic Act No. 9344 or the Juvenile Justice and Welfare Account, and the City's Curfew Ordinance as amended, if applicable.
- D. Persons found to be in possession of prohibited items under Section 7 of this Ordinance shall be dealt with in accordance to relevant laws such as, but not limited to, Republic Act No. 10591, Presidential Decree No. 9 as amended by Batas Pambansa Blg. 6, Presidential Decree No. 1866 as amended, and Republic Act No. 9165.

SECTION 13. PAYMENT OF FINES. Fines as provided under the immediately preceding section must first be settled with the City Treasurer's Office prior to the issuance or release of any requested city permit, certification, or document to the offender.

SECTION 14. IMPLEMENTATING OFFICES. The City Mayor through the Business Permits and Licenses Office, and the Tuguegarao City Component Police Station in coordination with barangay officials shall be responsible for the implementation of this ordinance.

SECTION 15. IMPLEMENTING RULES. The City Mayor shall formulate rules and regulations within (ninety) 90 days from the approval of the ordinance to ensure faithful compliance, taking into account legal and practical precepts.

SECTION 16. SEPARABILITY CLAUSE. The provisions of this Ordinance are hereby declared to be separable and in the event that one or more of the other provisions are held illegal or unconstitutional, the validity of the other provisions shall not be affected.

SECTION 17. REPEALING CLAUSE. Ordinances, executive orders and other local legislation inconsistent with this Ordinance are hereby modified or repealed accordingly.

SECTION 18. EFFECTIVITY. This Ordinance shall take effect upon the upholding of its validity by the Sangguniang Panlalawigan, and after ten (10) days from its subsequent publication in a newspaper of general circulation, in accordance with the provisions of the Local Government Code.

On motion of _____, **CITY ORDINANCE NO. _____-2025** was **APPROVED** on **THIRD** and **FINAL** reading.