

CITY ORDINANCE NO. \_\_\_\_\_

**CITY ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES AND CONSUMPTION THEREOF AND 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 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 Ninth 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, 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 police 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 DISTRUBANCES** - refers to any disruptive behavior that disturbs the peace and safety of the public which including but not limited to

fight, brawls, or any form of physical altercation or violent behavior that poses a threat to public safety, disorderly conduct, and willful 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 between 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. Minors are at all times prohibited from consuming liquor and other alcoholic beverages.

**SECTION 6. REPORTING TO AUTHORITIES.** 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 six (6) 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.

**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 surrender peacefully prohibited items in their possession.

Business establishments are obliged to deny access to minors while places of entertainment or amusement must refrain from serving alcoholic beverages to minors who attempt to make such purchases.

**SECTION 10. DUTY TO PEACE AND ORDER.** In case of commotions or public disturbances, the concerned owner of the places of entertainment or amusement must pacify and maintain peace and order within their area or immediate vicinity, as the case may be. In cases where peace and order can no longer be contained, it must be shown that the subject owners have exerted efforts to suppress the untoward incident or commotion.

**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.** 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 of amusements shall be subject to the following fines/penalties:

- A. First Offense – Fine of One Thousand Pesos (P1,000)
- B. Second offense – Fine of One Thousand Five Hundred Pesos P1,500
- C. Third Offense – Fine of Two Thousand Pesos (P2,000)
- D. Fourth and Succeeding Offenses – Imprisonment of not more than 30 days on the part of the business owner/operator involved, or the revocation of business permit upon the recommendation of the BPLO.

**SECTION 13. 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 14. REPEALING CLAUSE.** Ordinances, executive orders and other local legislation inconsistent with this Ordinance are hereby modified or repealed accordingly.

**SECTION 15. EFFECTIVITY.** This Ordinance shall take effect immediately after ten (10) days from the date of its approval and upon publication in a newspaper of general circulation in the City of Tuguegarao and Province of Cagayan, and after posting the same in conspicuous places of the City in accordance with the provisions of the Local Government Code.

On motion of \_\_\_\_\_, **CITY ORDINANCE NO. \_\_\_\_\_-2024** was **APPROVED**.