AN ORDINANCE PROHIBITING THE CONSUMPTION OR DRINKING OF BEER, WINE, LIQUOR OR SIMILAR INTOXICATING BEVERAGES IN PUBLIC PLACES AND PROVIDING PENALTY FOR VIOLATIONS THEREOF.

WHEREAS, despite existing laws and ordinances regulating the consumption or drinking of beer, wine, liquor and similar intoxicating beverages in public places, the occurrences of people violating this measure have remained unabated and tolerated by authorities;

WHEREAS, the continuous tolerance of the consumption or drinking of these intoxicating drinks in public places by persons or group of persons have resulted at times to the inconvenience, discomfort, physical injuries and death of people when traversing public places;

WHEREAS, statistics gathered by our enforcers reveal that of crimes reported daily to police stations at least 60% are alcohol related and of this, at least 50% originated from a drinking session in public places hence the need to regulate this activity for the safety and protection of the public;

WHEREAS, under Section 16 of the Local Government Code of 1991 known as the General Welfare clause, every Local Government shall exercise its powers essential to the promotion of the general welfare and safety of the public.

NOW THEREFORE, BE IT ORDAINED, as it is hereby ordained, that:

Section 1. Definitions: As used in this ordinance the term “Public places” are meant to be places such as but not limited to the following:

1. Roads
2. Pathways
3. Street
4. Alleys
5. Sidewalks
6. Sports complex or grounds
7. Parks or playground whether public or private
8. Church yards
9. Schools yards

Section 2. Consumption or drinking of beer, wine, liquor or similar intoxication beverages in public places as enumerated in Section 1 is hereby prohibited.
Section 3. The following governmental agencies and personalities are authorized, deputized and mandated to enforce this Ordinance and/or to cause the citing or arrest or apprehension of any person violating this Ordinance:

1. Philippine National Police
2. Municipal Officials whether elected or appointed not lower than the rank of Assistant Department Head anywhere in the Municipality.
3. Barangay Officials, elected or appointed including their deputized Barangay Tanods anywhere within the jurisdiction of the Barangay.
4. Elected Officers of NGO’s or PO’s such as but not limited to Homeowners Association, Neighborhood Association and Business Establishment Association to be deputized by the Sangguniang Bayan or Mayor of the Municipality.
5. Persons to be deputized by the Office of the Mayor with proper identification card.

Section 4. Any persons, found violating any of the provisions above, shall upon admission or conviction, be subject to the following penal sanctions:

1. FIRST OFFENSE - fine of not less than P500.00 or imprisonment of not less than five (5) days.
2. SECOND OFFENSE - fine of not less than P1,000.00 or imprisonment of not less than ten (10) days.
3. THIRD AND ANY SUCCEEDING OFFENSES - fine of not less than P2,500.00 and/or imprisonment of thirty (30) days, upon the discretion of the court.

Section 5. For the purpose of enforcing this Ordinance, the Municipality shall cause the printing of a Municipal Citation Ticket to be used by enforcers when citing a violator. This citation ticket can double as an official receipt for the Municipal Treasurer if and when the violator decides to pay the fine on the spot to avoid imprisonment, otherwise, violator will be charged and summoned by the proper court if the fine is not paid within seven (7) days;

Section 6. Exemptions: The use of “Public places” as defined in Section 1 for public gatherings such as birthday parties, fiestas and other social functions necessitating the use of a street or streets, where drinking is only an incidental activity may be allowed; PROVIDED a permit is secured from the Barangay who has jurisdiction in the said public place; PROVIDED further, that if approved, a barangay police shall be posted for the duration of the gathering;

Section 7. All Ordinances, resolutions, rules and regulations which are contrary or inconsistent with this Ordinance are hereby repealed or modified accordingly.
AN ORDINANCE STRICTLY PROHIBITING THE CONSUMPTION OR DRINKING OF BEER, WINE, LIQUOR OR SIMILAR INTOXICATING BEVERAGES IN PUBLIC PLACES AND PROVIDING PENALTY FOR VIOLATIONS THEREOF.

Done this 7th day of December, 1995, Paranaque, Metro Manila

Certified by:

TOMAS P. BANAGAL JR.
Presiding Officer

Sponsored by:

COUN. GENEROSO V. ELIZON
Chairman
Committee on Peace and Order
Committee on Public Works, Utilities and Communications

COUNCILIORS CONCURRED:

HON. ALBERTO BUENAVISTA
Councilor

HON. FE S. FACTOR
Councilor

HON. ALFREDO S. CASTRO
Councilor

HON. RODOLFO A. PENZALAN
Councilor

HON. JIMMY N. DELOS SANTOS
Councilor

HON. WINNIE D. ESPLANA
Councilor

HON. JESS C. BUSTAMANTE
Councilor

HON. MARITESS B. DE ASIS
Councilor

HON. LORNA L. CAMPAÑO
Councilor

HON. FIDELINO G. DELA CRUZ
Councilor

HON. AMADEO BOBADILLA
Councilor

APPROVED:

HON. FRANCISCO DELA CRUZ
ABC Representative

Attested By:

ATTY. LINOC. SANDIL
Municipal Secretary

Approved By:

JOEY F. MARQUEZ
Municipal Mayor