

Republic of the Philippines
Province of Misamis Occidental
MUNICIPALITY OF CALAMBA
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALAMBA, MISAMIS OCCIDENTAL HELD AT THE SB SESSION HALL ON MARCH 9, 2020.

PRESENT:

Hon. ANTONIO N. LAWAS, SR.	Municipal Vice Mayor/Presiding
Hon. JESUS C. ENERIO	Sangguniang Bayan Member
Hon. EMMANUEL M. CALE, M.D.	Sangguniang Bayan Member
Hon. REZIE C. LEONARDO	Sangguniang Bayan Member
Hon. RODRIGO T. GARCIA	Sangguniang Bayan Member
Hon. DENNIS M. BUNAO	Sangguniang Bayan Member
Hon. CARIDAD C. LANSANG	Sangguniang Bayan Member
Hon. JOSEPH C. MALAYAO	Sangguniang Bayan Member
Hon. CHERRY F. MAGSAYO	Sangguniang Bayan Member
Hon. KEN ALLEN B. LAWAS	FABC Pres./Ex-Officio Member
Hon. MA. ANGEL PRINCESS C. CANDA	FSK Pres./Ex-Officio Member
Hon. LUCIANO O. DUMANHOG	IP's Rep./Ex-Officio Member

ORDINANCE NO. 09-s.2020

PROPONENT: HON. RODRIGO T. GARCIA

AN ORDINANCE PROHIBITING THE CONSUMPTION OR DRINKING OF LIQUOR, BEER, WINE, GIN, TUBA, MALLORCA, OR SEMILAR INTOXICATING BEVERAGES IN PUBLIC PLACES IN THE MUNICIPALITY OF CALAMBA AND ITS BARANGAY EXCEPT ON OFFICIAL FUNCTION AND PROVIDING PENALTIES AND COMMUNITY SERVICE FOR VIOLATION THEREOF.

P R E F A C E

WHEREAS, the Sanggunian Bayan of the Municipality of Calamba has enacted ordinances such as half naked in Public places, minors violating curfew hours and smoking ban, among others which provide fines and penalties in violation thereof;

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

WHEREAS, based on the ordinance, alcoholic liquor refers to spirituous or intoxicating liquor of any kind and includes whisky, ale, beer, brandy, gin, rum, champagne, tuba, Mallorca, or any other beverages liable to produce intoxication,

WHEREAS, statistics gathered by our Philippine National Police reveals that crimes daily to police station at least 60% are alcoholic related and of this, at least 50% originated from a drinking session in public places hence 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 power essential to the promotion of the general welfare and safety of the public.

HON. JESUS C. ENERIO

HON. EMMANUEL M. CALE, M.D.

HON. REZIE C. LEONARDO

HON. RODRIGO T. GARCIA

HON. DENNIS B. BUNAO

HON. CARIDAD C. LANSANG

HON. JOSEPH C. MALAYAO

HON. CHERRY F. MAGSAYO

HON. KEN ALLEN B. LAWAS

HON. MA. ANGEL PRINCESS CANDA

HON. LUCIANO O. DUMANHOG

NOW THEREFORE, Be it ORDAINED as it is hereby ORDAINED by the Sangguniang Bayan of Calamba, Misamis Occidental on its Regular Session assembled that:

SECTION 1. Title. This ordinance shall be known as "AN ORDINANCE PROHIBITING THE CONSUMPTION OR DRINKING OF LIQUOR, BEER, WINE, GIN, TUBA, MALLORCA, OR SEMILAR INTOXICATING BEVERAGES IN PUBLIC PLACES IN THE MUNICIPALITY OF CALAMBA AND ITS BARANGAY EXCEPT ON OFFICIAL FUNCTION AND PROVIDING PENALTIES AND COMMUNITY SERVICE FOR VIOLATION THEREOF".

SECTION 2. 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** - is a long piece of hard ground which is built between two places so that people can drive or ride easily from one place to the other
2. **Pathways** - is a path which you can walk along or a route which you can take.
3. **Streets** - is a road in a town, or barangay usually with houses along it.
4. **Alleys** - is a narrow lane, path, or passageway, often reserved for pedestrians, which usually runs between, behind, or within buildings. It is also a rear access or service road (back lane), or a path, walk, or avenue in a park or garden.
5. **Sidewalks** - is a path with a hard surface on which people walk along one or both sides of a road.
6. **Parks or Ground Whether Public or Private** -large area of land with grass and trees which is maintained for the pleasure of the public.
7. **Church Yard** - is a patch of land adjoining or surrounding a church, which is usually owned by the relevant church or local parish itself.
8. **School Yard** - is the large open area with a hard surface just outside a school building, where the schoolchildren can play and do other activities.
9. **Terminal** - is the point where a bus/jeepney/motorcycle route starts or ends, where vehicles stop, turn or reverse, and wait before departing on their return journeys. It's also where passengers board and alight from vehicles.
10. **Public Market** – refers to a place, building or structure or any kind owned and/or operated by a city or municipality designated as such by their respective Sanggunians and dedicated to the service of the public in general and where basic food items and other commodities are displayed and offered for sale.

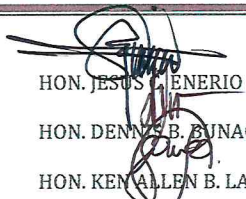
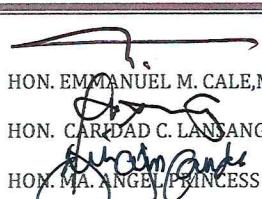
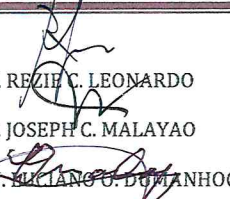
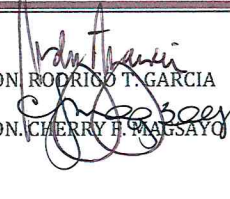
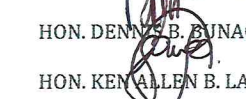

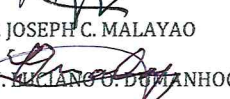




SECTION 3. Prohibitions. Consumption or Drinking of beer, wine, liquor or similar intoxicating beverages in public places as enumerated in Section 1 is hereby prohibited.

SECTION 4. Implementation. The following government 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 of Calamba
2. Barangay Officials, elected or appointed including their deputized Barangay Tanods anywhere in the jurisdiction of the barangay
3. Persons to be deputized by the office of the Mayor with proper identification card.

SECTION 5. Penalty. Any person/persons found violating any of the provisions above, shall upon admission or conviction, be subject to the following penal sanctions;

1. **FIRST OFFENCE** - Fine of Five Hundred Pesos (P500.00) or imprisonment of not less than five (5) days

 HON. JESUS C. GENERIO	 HON. EMMANUEL M. CALE, M.D.	 HON. REZIE C. LEONARDO	 HON. RODRIGO T. GARCIA
 HON. DENNIS B. BUNAO	 HON. CARIDAD C. LANANG	 HON. JOSEPH C. MALAYAO	 HON. CHERRY F. MAGSAYO
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2. **SECOND OFFENCE** - Fine of One Thousand pesos (P1,000.00) or not less than ten (10) days.

3. **THIRD AND ANY SUCCEEDING OFFENCE** - Fine of two thousand pesos (P2,000.00) and imprisonment of thirty (30) days, or upon the discretion of the court.

SECTION 6. Purpose. For the purpose of enforcing this ordinance, Municipal Citation Ticket shall be used by enforcers when citing a violator. This citation ticket can double as an official receipt for the Municipal Treasure if and when the violator decide to pay the fine on the spot to avoid imprisonment, otherwise violator will be charged and summoned by the proper court if the fine not paid within the period of seven (7) working days.


SECTION 7. Exemptions: The use of "Public Places" as defined in section 1 for public gathering such as birthday parties, fiesta, and other social function necessitating the use of street or streets, where drinking is only an accidental 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 8. Repealing Clause. All ordinances, resolutions, rules and regulations which are contrary or inconsistent with this ordinance are hereby repealed or modified.


SECTION 9. This Ordinance shall take effect upon approval.

ENACTED: This 9th day of March 2020 at Calamba, Misamis Occidental,

I **HEREBY CERTIFY** to the correctness of the Ordinance No. 09-s.2020 enacted by the 21st Sangguniang Bayan of Calamba, Misamis Occidental during its Regular Session on March 9, 2020 at Sangguniang Bayan Session Hall, Calamba, Misamis Occidental.


BEVERLY B. SAMOSA, Ph.D.
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**


Hon. ANTONIO N. LAWAS, SR.
Municipal Vice Mayor/Presiding

APPROVED: Ordinance No. 09-s.2020 on 4/6/2020


Engr. EZEL T. VILLANUEVA
Municipal Mayor


HON. JESUS C. ENERIO


HON. DENNIS B. BUNAO


HON. KEN ALLEN B. LAWAS


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