ORDINANCE NO. 2020-100

AN ORDINANCE REGULATING THE SALE AND CONSUMPTION OF LIQUOR AND OTHER ALCOHOLIC BEVERAGES FOR THE DURATION OF THE GENERAL COMMUNITY QUARANTINE (GCQ) AND MODIFIED GENERAL COMMUNITY QUARANTINE (MGCQ) IN MUNTINLUPA CITY

Sponsored by:
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz- VIA ZOOM
Hon. Coun. Paty Katy C. Boncayao-VIA ZOOM
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Nieves
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadefa
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla

WHEREAS, Section 16 of the R.A. No. 7160 or the Local Government Code of 1991 (LGC) provides that "every local government unit (L.GU) shall exercise 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, in March 2020, President Rodrigo Roa Duterte issued Proclamation Nos. 922 and 929, declaring a State of Public Health Emergency and State of Calamity, respectively, throughout the Philippines to contain the spread of Coronavirus Disease 2019 (COVID-19) in the Philippines;

WHEREAS, on 24 March 2020, the Congress through the "Bayanihan to Heal as One Act" (R.A. No. 11469) declared a State of National Emergency over the entire country to respond efficiently to the crisis brought by the pandemic. Under Section 4(g) thereof, the President is empowered to ensure that all LGUs are acting within the letter and spirit of all the rules, regulations and directives issued by the National Government;

WHEREAS, on 16 March 2020, the Office of the President through a Memorandum of the Executive Secretary placed the entire Luzon under Enhanced Community Quarantine (ECQ) beginning 17 March 2020, which imposed strict safeguard measures including the observation of stringent social distancing;
WHEREAS, on 16 March 2020, consistent with the national proclamations and issuances, the Sangguniang Panlungsod enacted the Ordinance No. 2020-068, penalizing any person who will engage in the sale, delivery, and drinking of alcohol, liquor, and other intoxicating drinks within the city during the period of community quarantine;

WHEREAS, on 11 May 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 35, s. 2020 placing Highly Urbanized Cities (HUCs) including Muntinlupa City under Modified Enhanced Community Quarantine until 31 May 2020 and thereafter easing certain restrictions such as allowing manufacturers of alcoholic drinks and beverages to operate;

WHEREAS, on 27 May 2020, IATF Resolution No. 40, s. 2020 classified all HUCs including Muntinlupa City as high-to-moderate-risk areas and placed them under General Community Quarantine (GCQ) beginning on 01 June 2020. Furthermore, all identified barangays with the National Capital Region shall be subject to zoning concept to be implemented by the National Task Force (NTF) on COVID-19;

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panlungsod in session assembled that:

SECTION 1. Short Title. This Ordinance shall be known as an “Ordinance Regulating the Sale and Consumption of Liquor and Other Alcoholic Beverages for the duration of the General Community Quarantine and the Modified General Community Quarantine.”

SECTION 2. Coverage. This Ordinance shall be in effect for the duration of a General Community Quarantine (GCQ) or Modified General Community Quarantine (MGCQ) as may be declared by the national government and shall cover the following persons and entities:

a. All natural persons, resident or non-resident, found in Muntinlupa City; and
b. All juridical persons and business establishments located and/or operating in Muntinlupa City.

SECTION 3. Sale and Consumption of Alcoholic Beverages. Sale of alcohol to minors and persons already intoxicated shall be prohibited.

The consumption or drinking of any kind of alcoholic beverages shall be permitted only within the private residence of the consumer. Social drinking involving individuals not living in the same residence shall be strictly prohibited.

SECTION 4. Prohibition to Beneficiaries of Government Financial Assistance. Any individual who has received and been receiving financial assistance from the national or local government shall be prohibited from purchasing liquor and other alcoholic beverages for the duration of the GCQ and MGCQ to ensure that the government assistance is not wasted on alcohol.
The public is encouraged to cooperate with the government and immediately report such violators to the Barangay for proper action. Barangays shall conduct a thorough investigation and submit a report recommending the disqualification of such individuals to the government office or agency extending financial assistance during the implementation of GCQ and MGCQ.

The City Government of Muntinlupa shall require the beneficiary of government financial assistance to sign an undertaking that he/she shall refrain from consuming alcohol during the GCQ and the MGCQ.

SECTION 5. Establishment to keep record of Sale of Liquor. Business establishments selling liquor and other alcoholic beverages during the period of GCQ and MGCQ are required to keep a log book of individuals who will purchase liquor and other alcoholic beverages. The record/log book shall contain the following information:

a. Full name of the buyer;
b. Exact address;
c. Contact details;
d. Date of purchase;
e. Exact time of purchase

SECTION 6. Penalty. Any person violating this Ordinance shall be meted with (1) charges under R.A. No. 11332 or the Bayanihan to Heal as One Act, which penalizes non-cooperation of persons or entities during a health event of public concern and (2) closure, suspension, or revocation of the business permit or license of the erring establishment.

In addition, if the violator is a beneficiary of any financial assistance given by the national and local government during the period of the State of National Emergency, he/she shall be disqualified from any existing and future financial assistance of the City Government of Muntinlupa, unless for a valid and justifiable reason he/she proves his worth to be qualified again.

SECTION 7. Separability Clause. If, for any reason or reasons, any part/s or provision/s of this Ordinance shall be held to be unconstitutional or invalid, other part/s or provision/s hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Repealing Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 9. Publication. This Ordinance shall be posted in the Official Website of the City Government of Muntinlupa and in all available social media platforms.
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SECTION 10. Effectivity Clause. This Ordinance shall take effect on 01 June 2020 upon the imposition of the General Community Quarantine in Muntinlupa City.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 1st day of June 2020, on its 47th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING KIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(ABSENT)

COUN. MA. DHESSIREE G. AREVALO
Member

COUN. ENGR. MAHERTO T. SEVILLA, JR.
Member

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COUN. ENGR. ARLENE D. HILapo
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. CAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. ERESNEDI
City Mayor

Date: 03 JUN 2020

Norie/9th SP