ORDINANCE NO. 2021-232

AN ORDINANCE ALLOWING THE LIMITED/REGULATED SALE AND CONSUMPTION OF LIQUOR AND OTHER INTOXICATING DRINKS IN THE CITY OF MUNTINLUPA DURING THE MODIFIED ENHANCED COMMUNITY QUARANTINE (MECO) AND LESS STRINGENT COMMUNITY QUARANTINES TO BE PRONOUNCED BY THE NATIONAL GOVERNMENT.

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

WHEREAS, under Section 15, Article II of the Philippines Constitution, provides that, "it is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. No. 7160) further provides that, "every local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental to its efficient and effective governance, and those which are essential to the promotion of general welfare";

WHEREAS, Section 11 (a) (a), Article V of R.A. No. 7926, otherwise known as the "Charter of the City of Muntinlupa", provides that the Sangguniang Panlungsod shall approve ordinances and pass resolutions necessary for an efficient and effective city government, and in this connection shall adopt measures to protect the inhabitants of the City from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events;

WHEREAS, foreseen as the one of the causes of social gathering and getting together of persons in violation of social distancing to avoid the spread of corona virus and its variants, the Sangguniang Panlungsod, enacted various ordinances pertaining to the sale, distribution and consumption of liquor as follows:

a. Ordinance No. 2020-068, Banning The Sale, Delivery and Drinking of Liquor And Other Alcoholic Drinks In Public Places In The City Of Muntinlupa During The Effectivity Of The Community Quarantine;
b. Ordinance NO. 2020-100 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.

c. Ordinance NO. 2020.111 Banning the sale, delivery, and consumption in public places of liquor and other alcoholic beverages during all levels of community quarantine in Muntinlupa City due to Covid-19 pandemic and amending for this purpose Ordinance No. 2020-100.

d. Ordinance NO. 2020-119 Regulating the sale and consumption of liquor and other alcoholic beverages for the duration of the General Community Quarantine (GCQ) in Muntinlupa City and amending for this purpose Ordinance NO. 2020.111 e. Ordinance NO. 2021-216 Banning the sale, delivery, and consumption in public places of liquor and other alcoholic beverages during community quarantine in Muntinlupa City due to Covid-19 pandemic and amending for this purpose Ordinance No. 2020-111.

WHEREAS, on April 11, 2021, President Rodrigo Duterte has placed NCR Plus (Metro Manila, Bulacan, Cavite, Laguna, and Rizal) under the less restrictive Modified Enhanced Community Quarantine (MECQ) from April 12 and later proclamation extended it until May 14, 2021;

WHEREAS, the easing of community quarantine likewise necessitates the lifting of the liquor ban for economic reasons without compromising the health and safety of the City’s constituents;

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

SECTION 1. Title. This Ordinance shall be known as an "Ordinance Regulating the Sale and Consumption of Liquor and Other Alcoholic Beverages in the City of Muntinlupa for the duration of the Modified Enhanced Community Quarantine (MECQ) and less stringent community quarantines to be pronounced by the National Government".

SECTION 2. Coverage. This Ordinance shall be in effect for the duration of a MECQ and less stringent community quarantines 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 liquor and other alcoholic beverages shall be allowed in commercial establishments permitted by the IATF and other implementing authorities for duration of the MECQ and in less stringent community quarantines to be declared by the National Government.
Ordinance No. 2021-232

1) Sale of liquor and other alcoholic beverages to minors and those already intoxicated shall be prohibited;

2) Sale of liquor and other alcoholic beverages shall be limited to Muntinlupa residents only and no sale shall be done without resident showing any valid government-issued identification card;

3) Sale of liquor and other intoxicating beverages shall only be during: 10:00am until 3:00pm;

4) Social drinking involving individuals not living in the same residence nor member of the same household shall be strictly prohibited even when done inside a private residence;

5) Consumption or drinking of liquor and other alcoholic beverages in public places such as restaurants resto-bars, and other commercial establishments permitted the IATF and other implementing authorities shall be limited to the following:

(a) Beer- maximum of two (2) bottles
(b) Hard drinks - maximum of two (2) glasses
(c) Wine and whiskey - maximum of two (2) glasses

SECTION 4. Implementation and Enforcement. This Ordinance shall be implemented by the Philippine National Police (PNP)-Muntinlupa, Public Order and Security Office (POSO), City Security Office (CSO), Muntinlupa Traffic Management Bureau (MTMB), Business Permit and Licensing Office (BPLO), Barangay Chairpersons and their personnel, and other individuals deputized by the Local Chief Executive.

SECTION 5. Penalty. Any person violating this Ordinance shall be meted with the following penalties, without prejudice to the charges under R.A. No. 11469 and R.A. 11332, which penalizes non-cooperation of persons or entities during a health event of public concern:

A. For Business Establishments:
   1. First Offense - Closure for one (1) week
   2. Second offense - Revocation of Business Permit

B. For Persons who are Sellers:
   1. First Offense - PhP2,000.00
   2. Second Offense - PhP5,000.00

C. For Persons who are Buyers or Consumers:
   1. First Offense - PhP2,500.00
   2. Second Offense - PhP5,000.00
SECTION 6. Separability Clause. If, for any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. Repeating Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 8. Publication. This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be posted by the Public Information Office (PIO) in the Official Website of the City Government of Muntinlupa and in all available social media platforms, including posting in conspicuous places in barangay halls, health centers, public markets and other public places.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 3rd day of May 2021, on its 95th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. TING NIEFES
Member

COUN. ALEXSON V. DIAZ
Member

COUN. IVEE RHIA A. TADEFA
Member

COUN. ALLAN REY A. CAMILON
Member

(ABSENT)
COUN. STEPHANIE G. TEVES
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. MARR E LESTER M. BAES
Member

COUN. FRANCISIAN T. BAGATSING
Member
Ordinance No. 2021-232

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

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDIL
City Mayor
Date: 05 MAY 2021

Norie/9th SP