

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE BENJAMIN MELLIZA HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON APRIL 6, 2005 AT 2:15 P.M.

PRESENT:

HON. ROEL T. JARINA,	Councilor & Temp. Presiding Officer
HON. SUZETTE T. ALQUISADA,	Councilor
HON. JOSE T. TAVARRO, JR.,	Councilor
HON. ALFONSITO E. ESTOCE,	Councilor
HON. PEDRO T. RAPADAS,	Councilor
HON. ORVILLO T. TANGENTE,	Pres., Liga ng mga Barangay
HON. JOSE DONEL T. TRASPORTO,	SKMF President

OFFICIAL BUSINESS:

HON. AGATON O. TUMABOTABO,	Vice Mayor
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ABSENT:

HON. REMEDIOS T. TORRATO,	Councilor
HON. ROMEO T. LEDESMA,	Councilor
HON. ALFONSO C. BABIERA,	Councilor

Municipal Ordinance No. 2005-003

AN ORDINANCE REGULATING THE SELLING/CATERING AND DRINKING OF BEER, ALCOHOLIC BEVERAGES, MINE AND OTHER INTOXICATING LIQUORS AT ANY STORE, BUSINESS ESTABLISHMENTS OR OPEN PUBLIC PLACES AFTER 12:00 O'CLOCK MIDNIGHT TO 8:00 O'CLOCK IN THE MORNING IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO AND PROVIDING PENALTIES IN VIOLATION THEREOF

SPONSORED BY: HON. PEDRO T. RAPADAS, Chairman, Committee on Peace and Order and Public Safety
SECONDED BY: Hon. Orvillo Tangente, Hon. Jose Donel Trasporto and Hon. Alfonsito Estoce

WHEREAS, it has been observed that most of the person involved in the commission of crimes are those who are under the influence of intoxicating liquors;

WHEREAS, Sec. 447 (a)(1)(v) of the Local Government Code (RA 7160) provide that the Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances intended to prevent, suppress, and impose appropriate penalties for habitual drunkenness in public places,...etc.;

WHEREAS, Sec. 447 (a) (4) (iv) also provides that the Sangguniang Bayan shall regulate the establishment, operation, and maintenance of café, restaurants, beerhouse,... etc.;

WHEREAS, in view of the prevalence of criminality leading towards disturbances to peace and order and public safety, it is proper and appropriate to regulate the selling/catering and drinking of beer, alcoholic beverages, wine, and other intoxicating liquors;

NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF TIGBAUAN, PROVINCE OF ILOILO AS IT IS HEREBY ORDAINED, That:

Section 1. This Ordinance – This ordinance shall be known as an Ordinance Regulating The Selling/Catering And Drinking Of Beer, Alcoholic Beverages, Mine And Other Intoxicating Liquors At Any Store, Business Establishments Or Open Public Places After 12:00 O’clock Midnight To 8:00 O’clock In The Morning In The Municipality Of Tigbauan, Province Of Iloilo And Providing Penalties In Violation Thereof;

Section 2. The fare rates are as follows:

- (a.) Beer - refers to drinks produced from fermented yeast and malt
- (b.) Alcoholic Beverages/Intoxicating liquors - are those drinks containing fraction of alcohol such as whisky, gin, rum, vodka and the like which when drank causes intoxication
- (c.) Wine - the fermented juice of the grapes and several other fruits and vegetables
- (d.) Business Establishment - refers to restaurant, refreshment, cafeteria, grocery store, karaoke bar and beerhouse which are open to the public
- (e.) Open Public Places - refers to a public place or building or to any place/building (except residential building) booth, cubicle, including “gareta” and the like, which is immediately adjacent to or near a public place, building or part thereof where the public usually passes through or converge
- (f.) Sell - to exchange goods (specifically beer, alcoholic beverages, wine and other intoxicating liquors) for money
- (g.) Cater - to serve, give or offer intoxicating liquor to any person or allow anybody to drink intoxicating liquor

Section 3. Prohibited Acts and Omissions – No person shall be allowed to drink beer, alcoholic beverages, wine and other intoxicating liquors at any store, business establishments or open public places within the time from and commencing at 12:00 o’clock midnight to 8:00 o’clock in the morning.

Every owner, operator, manager or employee of a business establishment or store is hereby prohibited to sell/cater beer, alcoholic beverages, wine and other intoxicating liquors on the premises of his establishment or store within the time from 12:00 o’clock midnight to 8:00 o’clock in the morning.

Section 4. Penalties – Any person found violating Section 3 of this Ordinance shall be fined One Thousand Pesos (P1,000.00) or imprisonment of not less than ten (10) days nor more than thirty (30) days or both fine and imprisonment at the discretion of the court.

Section 5. Exemption – Section 3 hereof shall not force and effect during he following:

- (a.) Celebration of the Tigbauan Town Fiesta, the period and duration of which shall be officially declared for the given year by the Sangguniang Bayan of Tigbauan through an approved resolution
- (b.) On the 24th day of December
- (c.) During legal Holidays both national and local whether working or non-working

Section 6. Repealing Clause – Any Ordinance with provision that contradict this Ordinance is hereby repealed.

Section 5. Effectivity. This Ordinance shall take effect 10 days after a copy thereof is posted in a bulletin board at the entrance and in at least three (3) conspicuous public places in the Municipal Building upon receipt from the approval of the Sangguniang Panlalawigan.

ENACTED. April 6, 2005.

I **HEREBY CERTIFY** that the foregoing Municipal Ordinance was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

MARLENE T. NAVA
S.B. Secretary

ATTESTED: ROEL T. JARINA
Councilor & Temporary Presiding Officer

APPROVED:

MYRNA M. TORRES

Municipal Mayor