



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-137

35th Regular Session

ORDINANCE NO. SP- **2955**, S-2020

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. NC-85, S-89, ENTITLED, "ORDINANCE CONSOLIDATING THE PROVISIONS OF LIQUOR ORDINANCES AND INCORPORATING THE SAME INTO COMMON REGULATORY MEASURE AND PROVIDING PENALTIES FOR VIOLATION THEREOF", THEREBY PROVIDING STIFFER PENALTIES THEREOF AND FOR OTHER PURPOSES.

Introduced by Councilor SHAIRA L. LIBAN.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Franz S. Pumaren, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Karl Castelo, Patrick Michael Vargas, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, it is a declared policy of the State under Section 13, Article II of the 1987 Philippine Constitution that recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being;

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[Handwritten signatures]

WHEREAS, laws have minimum legal drinking age of 18 years old, but due to leniency in monitoring and implementation, have led to unabated and widespread underage drinking;

WHEREAS, easy access to alcohol and other similar products by minors has become a growing concern for society as it slowly corrupts and destroys their future and that of the country;

WHEREAS, the Quezon City Government has consolidated liquor ordinances and regulatory measures that provides penalties for violation thereof under Ordinance No. NC-85, S-89;

WHEREAS, there is a need to amend certain provisions concerning specially to minors and drinking liquors in public places;

WHEREAS, these amendments to the existing ordinance prohibits minors from drinking alcohol, and penalizes those who take advantage and illegally provide them easy access to alcohol including those establishments who sell such products to them with wanton disregard of the negative effects if uncontrolled;

WHEREAS, in order to address the Order of the Regional Trial Court of Quezon City, Branch 104 (Civil Case No. R-QZN-15-01555-CV) which became final and executory on May 24, 2018, declaring unconstitutional the penalty clause under Section 22 of the Ordinance, there is a need to amend and update the penalties to serve as deterrent to commit any violations covered under Ordinance No. NC-85, S-89.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. An Additional definition of terms is hereby inserted in Section 3 of Ordinance No. NC-85, S-1989, to wit:

"f. Amusement Places - includes night or day clubs, cabarets or dance halls, bars, cocktail lounges, videoke bars, beer gardens, disco pads, cabaret, ballroom dancing halls, sing-a-long pub houses, and other similar establishments.

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g. Business Establishments - establishments that sell and/or serve liquor, to include restaurants, carinderias, hotels, liquor stores, wine dealers, sari-sari stores, bazaars, groceries, and other similar establishments.”

SECTION 2. A new paragraph shall be inserted after the second paragraph of Section 14 of the said Ordinance, to read as follows:

“Likewise, it shall be unlawful for any person to practice “tagay system” or sharing glass while having a drinking session in restaurants, bars, stores, saloons, pavilions and other similar places in Quezon City to avoid the spreading of virus.”

SECTION 3. A new paragraph shall be inserted after the first paragraph of Section 18 of the said Ordinance, to read as follows:

“SECTION 18. PROHIBITION TO MINORS. Persons below eighteen (18) years of age are hereby prohibited to drink or take fermented malt, intoxicating liquors, including beer, intoxicating beverages in restaurants, stores, saloons, pavilions and other similar places in Quezon City where such liquors are served or sold.

Moreover, selling, giving, or otherwise providing fermented malt, intoxicating liquors, including beer, intoxicating beverages to persons below eighteen (18) years of age is likewise prohibited in restaurants, stores, saloons, pavilions and other similar places in Quezon City where such liquors are served or sold. For this purpose, it shall be the duty of the owner or operator of such establishments to scrutinize the identity of the minors by checking their valid identification cards such as school I.D., driver’s license, and the likes, to ensure that no liquors or any intoxicating beverages will be served to minors.”

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SECTION 4. Section 21 of the same Ordinance is hereby amended to read as follows:

“SECTION 21. OFFENSES ON OFFICERS AND EMPLOYEES. Every officer, agent or employee of the City Government charged with the enforcement or execution of the provisions of this Ordinance, who is guilty of any delinquency herein below indicated shall be penalized with a fine of Five Thousand Pesos (Php5,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both such fine and imprisonment, at the discretion of the proper court.”

SECTION 5. Section 22 of the same Ordinance is hereby amended to read as follows:

“SECTION 22. PENALTIES. Violation of any provision of this Ordinance are subject to the following penalties:

Any violation of the provisions of this Ordinance except Section 21 hereof shall be penalized with a fine of Five Thousand Pesos (Php5,000.00) or imprisonment of not less than one (1) month but not more than six (6) months, or both such fine and imprisonment, at the discretion of the proper court.

If the offense is committed by a firm, partnership, corporation or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, or such other officer in charge shall be held liable. In addition, the business permit and license to operate of the concerned firm, partnership, corporation or legal entity shall be revoked/cancelled.”

SECTION 6. REPEALING CLAUSE. - All ordinances, resolutions, local executive orders, rules and regulations, or any part thereof inconsistent herewith are deemed repealed, modified or amended accordingly.

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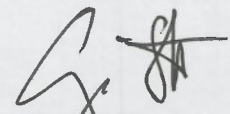
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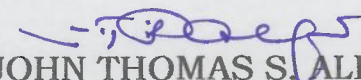
SECTION 7. SEPARABILITY CLAUSE. - In case any provision of this Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 8. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.


ENACTED: July 6, 2020.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

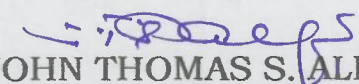

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: _____


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on July 6, 2020 and was PASSED on Third/Final Reading on July 28, 2020.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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