



Republika ng Pilipinas

Lungsod ng Caloocan



TANGGAPAN NG SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 0869 S. 2020

(PROPOSED ORDINANCE NO. 11-088)

AN ORDINANCE AMENDING SECTION 1 AND 2 OF CITY ORDINANCE NO. 0864 s. 2020 TO PARTIALLY LIFT THE BAN ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF CALOOCAN DURING THE DURATION OF THE NATIONAL HEALTH EMERGENCY AND STATE OF CALAMITY.

SPONSORED BY:

Hon. MA. MILAGROS "ROSE" S. MERCADO
MAJORITY FLOOR LEADER

Hon. VINCENT RYAN "ENTENG" MALAPITAN
PRESIDENT PRO TEMPORE

CO- SPONSORED BY:

Hon. CARMELO F. AFRICA III, Hon. DEAN ASISTIO, Hon. ANNA KARINA TEH-LIMSICO
Hon. CHRISTOPHER E. MALONZO, Hon. MARYLOU "ALOU" NUBLA
Hon. EDGARDO N. ARUELO, Hon. LUIS. O. ASISTIO III, Hon. RICARDO J. BAGUS
Hon. ALEXANDER V. MANGASAR, Hon. ROBERTO R. SAMSON
Hon. ORVINCE HOWARD A. HERNANDEZ and Hon. JOSE LORENZO T. ALMEDA

WHEREAS, on 12 March 2020, His Excellency, President RODRIGO ROA DUTERTE, adopted Resolution No. 11 Series of 2020 of the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Disease, thus, placing the entire National Capital Region under Enhanced Community Quarantine;

WHEREAS, on 15 April 2020, the Sangguniang Panglungsod of Caloocan City enacted City Ordinance No. 0864 (*"An Ordinance Temporarily Prohibiting The Sale And Consumption Of Alcoholic Beverages Within The City Of Caloocan During The Duration Of The National Health Emergency And State Of Calamity, Providing Penalties For The Violation Thereof"*) which temporarily bans the sale and consumption of alcoholic beverages in the City of Caloocan during the duration of the national health emergency and state of calamity;

WHEREAS, the primary purpose of the aforementioned ordinance is to impose social distancing measures and prohibit unnecessary congregation of persons to lessen the risk of transmitting COVID-19;

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WHEREAS, on 12 May 2020, the Inter Agency Task Force on Emerging Infectious Diseases (IATF) issued IATF Resolution No. 35 placing Metro Manila under a Modified Enhanced Community Quarantine (MECQ);

WHEREAS, under the Omnibus Guidelines for Modified Enhanced Community Quarantine, offices, establishments, or individuals conducting or providing activities or services in the manufacturing industries classified as beverages, including alcoholic drinks, are allowed to operate at fifty percent (50%) operational capacity (Section 3.5.a);

WHEREAS, the above provision is in consideration of the contribution of the alcohol industry to the Philippine economy, and the health, social, and psychological benefits of moderate drinking;

WHEREAS, other nearby cities have lifted the liquor ban which may one way or the other provide residents of the City of Caloocan the opportunity to purchase liquor from other cities, defeating the prohibition on sale of liquor in the City, to the damage and prejudice of local business establishments in Caloocan;

WHEREAS, while the Sanggunian still believes in the wisdom of the liquor ban, the evil or harm being avoided by the total ban will not be present in situations where the sale of alcoholic beverage is strictly for personal use and where alcohol beverage is consumed in private residences under strict social distancing guidelines;

WHEREAS, in consideration of the above premises, the Sangguniang Panglunsod deems it appropriate to relax the absolute and stringent liquor ban previously imposed by the City during the period of Enhanced Community Quarantine;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, BY THE SANGGUNIANG PANGLUSOD, IN A SESSION DULY ASSEMBLED THAT:

SECTION 1. Amendment to Section 1 of City Ordinance No. 0864 s. 2020 . Section 1 of City Ordinance No. 0864 s. 2020 (“An Ordinance Temporarily Prohibiting The Sale And Consumption Of Alcoholic Beverages Within The City Of Caloocan During The Duration Of The National Health Emergency And State Of Calamity, Providing Penalties For The Violation Thereof”) is hereby amended to allow for the sale of alcohol in limited quantities for personal use at certain times of the day, to read as follows:

AN ORDINANCE AMENDING SECTION 1 AND 2 OF CITY ORDINANCE NO. 0864 s. 2020 TO PARTIALLY LIFT THE BAN ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THE CITY OF CALOOCAN DURING THE DURATION OF THE NATIONAL HEALTH EMERGENCY AND STATE OF CALAMITY.

“Section 1. PROHIBITION AGAINST THE SALE OF ALCOHOLIC BEVERAGES TO INDIVIDUAL CONSUMERS. All establishments including, but not limited to, supermarkets, grocery stores, convenience stores, sari-sari stores, restaurants, *panciteria*, hotel or bar and *carinderias* within the City of Caloocan are PROHIBITED from SERVING any alcoholic beverages within their premises. **Unless prohibited from operating under existing national or local guidelines on community quarantine from operating, the aforementioned establishment are likewise prohibited from SELLING and DISTRIBUTING alcoholic beverages to an individual consumer except: (a) from 8: 00 a.m. until 6:00 pm daily; AND (b) for only one (1) kind of beverage indicated below of his choice and in the limited quantities for personal consumption as provided therein:**

Type of Alcoholic Beverage	Maximum Allowed to be Sold Per Individual
Beer	<p>A. Five (5) bottles or cans with volume of 500 mL or less;</p> <p>B. Two (2) bottles with volume of One (1) liter or more than 500 ml.</p>
Wine	Two (2) bottles with volume of One (1) liter or less.
Gin, whiskey, brandy and other hard liquor	One (1) bottle with volume of One (1) liter or less.

The sale of alcoholic beverages by distributors, whole sellers or high-volume retailers (e.g., large groceries) to low-volume retailers like neighborhood groceries, sari-sari stores and convenience stores and other establishments allowed to sell to individual consumers for personal consumption shall not be covered by the restrictions in the volume of sales above.

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SECTION 2. Amendment to Section 2 of City Ordinance No. 0864 s. 2020. Section 2 of City Ordinance No. 0864 s. 2020 is hereby amended to allow the personal consumption of alcoholic beverages in limited quantities inside private residence, to read as follows:

SECTION 2. PROHIBITION ON CONSUMPTION OF ALCOHOLIC BEVERAGES. - The consumption of any kind of alcoholic beverage shall be prohibited in any place in the City of Caloocan, fixed or mobile, accessible or open to the public, or places for collective use, regardless of ownership or right to access, including but not limited to, restaurants, convenience stores, sari-sari stores, carinderias, markets, public streets, walkways/sidewalks, parkway, alley, parks, playgrounds, plaza, transportation terminals, privately-owned property or space having no enclosure, or if with enclosure can accommodate three or more persons, and the like. **The personal consumption of alcoholic beverages in limited quantities shall be allowed only inside a person's residence and its garage, provided that group drinking shall be limited to a maximum of three (3) persons, and strict social distancing and other precautionary measures, including the avoidance of the customary one shot glass shall be observed at all times.**

SECTION 3. ENFORCEMENT AND IMPLEMENTATION. – The Department of Public Safety Traffic Management (DPSTM), the Barangay Officials, and the Philippine National Police (PNP) shall strictly enforce the provisions of this Ordinance.

SECTION 4. PENALTIES. – Any person of legal age and business entity/ies found violating this Ordinance shall be penalized with the following fines, to wit:

First Offense	-	Fine of Php 500.00
Second Offense	-	Fine of Php 1,000.00
Third Offense	-	Fine of Php 1,500.00

SECTION 5. Separability Clause. – If for any reason/s, any provision/s of this Ordinance is declared invalid or unconstitutional by a Court of competent jurisdiction, the remaining part/s thereof not affected thereby, shall continue to be in full force and effect.

SECTION 6. Repealing Clause. – All ordinances, orders, resolutions, instructions, rules and regulations or parts thereof, which are previously issued and inconsistent herewith, are deemed repealed or modified accordingly.

SECTION 7. Effectivity. – This ordinance shall take effect immediately.