



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD NG MARIKINA

ORDINANCE NO. 040
Series of 2020

**ORDINANCE IMPOSING A TEMPORARY LIQUOR BAN IN MARIKINA CITY
DURING THE ENHANCED COMMUNITY QUARANTINE**

Introduced by:

Councilor MANUEL E. SARMIENTO

Co-sponsored by:

Councilor CARL ELI F. AFRICA

Councilor CLOYD S. CASIMIRO

Councilor PAUL B. DAYAO

Councilor ROMINA KATE DE GUZMAN

Councilor LEVY DL. DE GUZMAN

Councilor DONN CARLO B. FAVIS

Councilor SAMUEL S. FERRIOL

Councilor ANGELITO R. NUÑEZ

Councilor RENATO B. MAGTUBO

Councilor JOEL V. RELLEVE

Councilor RUBEN R. REYES

Councilor THADDEUS ANTONIO M. SANTOS, JR.

Councilor LORETO F. TOLENTINO

Councilor ZIFFRED A. ANCHETA

Councilor JONAS MERVIN D. REYES

and Vice Mayor MARION S. ANDRES, M.D.

WHEREAS, Article II, Section 15 of the 1987 Constitution provides that the "*The State shall protect and promote the right to health of the people and instill health consciousness among them*";

WHEREAS, the President of the Philippines issued Presidential Proclamation No. 922 s. 2020 declaring a State of Public Health Emergency throughout the Philippines, enjoining all Local Government Units to render full assistance and cooperation to undertake appropriate response to curtail of the spread of the COVID-19 threat;

WHEREAS, a State of Calamity was declared throughout the Philippines by virtue of Presidential Proclamation No. 929 S. 2020 which imposed an Enhanced Community Quarantine throughout the Philippines;

WHEREAS, Section 16 of the Local Government Code, or the General Welfare Clause, provides that every local government unit shall exercise powers necessary to ensure and support, among other things, the health and safety of its inhabitants;

WHEREAS, the Section 458 of the same Code provides that the Sangguniang Panlungsod shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants, and for an efficient and effective city government, maintain peace and order by enacting measures to prevent and suppress lawlessness and disorder, and adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and calamities;

WHEREAS, the temporary liquor ban on selling and serving, and regulation of liquor consumption is intended to promote health to the inhabitants of the City and also a measure to enforce social distancing in order to slow down the spread of COVID -19.

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the **SANGGUNIANG PANLUNGSOD NG MARIKINA** in session duly assembled, that –

SECTION 1. TITLE - This Ordinance shall be known as the "**TEMPORARY LIQUOR BAN IN MARIKINA CITY DURING THE ENHANCED COMMUNITY QUARANTINE**".

SECTION 2. PROHIBITED ACTS

- a. During the enhanced community quarantine, any person or business establishment, such as restaurants, clubs, hotels, retail stores, supermarkets and similar businesses, within the territorial jurisdiction of the City of Marikina, are prohibited in selling, distributing, and serving any alcohol, wine, beer, liquor and other intoxicating beverages to any person;
- b. Consumption or drinking of alcohol, wine, beer, liquor and other intoxicating beverages in public places in the City of Marikina shall also be prohibited during the period of enhanced community quarantine.

SECTION 3. PENALTY -Any person or business entity found to have violated any of the provisions of this Ordinance shall be penalized with a fine of Five Thousand Pesos (Php 5,000), or imprisonment for three (3) months, or both, at the discretion of the Court. If the offense is committed by a corporation, partnership or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, and/or such other officers-in-charge shall be held liable.

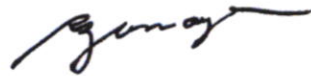
SECTION 4. SEPARABILITY CLAUSE - If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full force as though this Ordinance did not originally include such invalid, illegal or unenforceable provision.

SECTION 5. REPEALING CLAUSE - All Ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 6. EFFECTIVITY - This Ordinance shall take effect immediately, and shall remain in full force and effect during the enhanced community quarantine period imposed by the National Government.

UNANIMOUSLY ENACTED by the **SANGGUNIANG PANLUNGSOD of MARIKINA**,
this 8th day of April, 2020.

I HEREBY CERTIFY to the correctness
of the foregoing Ordinance which was duly
enacted by the *Sangguniang Panlungsod*
during its 2nd Special Session held via
video conferencing on April 8, 2020



REGINALD B. TAMAYO
Acting City Council Secretary

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**



MARJON S. ANDRES, M.D.
City Vice Mayor/Presiding Officer

APPROVED by the **CITY MAYOR** on **APR 8 2020**



MARCELINO R. TEODORO
City Mayor