



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-417

59th Regular Session

ORDINANCE NO. SP- **3014**, S-2021

AN ORDINANCE GIVING AUTHORITY TO THE CITY MAYOR TO ISSUE EMERGENCY MEASURES TO REGULATE THE SALE, DISTRIBUTION, AND CONSUMPTION OF LIQUOR AND OTHER INTOXICATING BEVERAGES WITHIN THE CITY, ENFORCEABLE DURING THE PERIOD OF PUBLIC HEALTH EMERGENCY DUE TO THE COVID-19 PANDEMIC, SUBJECT TO THE INTER-AGENCY TASK FORCE FOR THE MANAGEMENT OF EMERGING INFECTIOUS DISEASES (IATF-MEID) AND METRO MANILA COUNCIL GUIDELINES.

Introduced by Councilors FRANZ S. PUMAREN, VICTOR V. FERRER, JR., ERIC Z. MEDINA and DONATO "Donny" C. MATIAS.

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

WHEREAS, on March 8, 2020, President Rodrigo R. Duterte issued Proclamation No. 922 declaring a State of Public Health Emergency all throughout the country due to the COVID-19 pandemic;

WHEREAS, on March 13, 2021, the City Council declared Quezon City to be under a State of Calamity due to the pandemic;

WHEREAS, after several months of a declining trend in COVID-19 cases, on March 14, 2021, the OCTA Research team reported an alarming upsurge in new cases, such that by April 2021, there might be 20,000 new COVID-19 cases per day in the Philippines if the outbreak is not contained;

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WHEREAS, the City Epidemiology and Surveillance Unit (CESU) reports that currently, the City is encountering more than 300 new COVID-19 cases per day, a level of infection not seen since August 2020;

WHEREAS, according to CESU, the consumption of liquor encourages people to congregate, which promotes the spread of the virus;

WHEREAS, based on Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the City has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote the general welfare, health and safety, maintain peace and order, and preserve the comfort and convenience of the inhabitants;

WHEREAS, Section 458 (a)(1)(iv) of the same Code provides that the City Council may adopt measures to protect the inhabitants of the City from the harmful effect of natural disasters and calamities;

WHEREAS, Section 458 (a)(5)(xii) of the foregoing law provides that the City Council may approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

WHEREAS, under Section 455 (b)(1)(vii) of the said law, the City Mayor may carry out such emergency measures as may be necessary during times of calamity;

WHEREAS, on 15 May 2020, the City Mayor issued Executive Order No. 31 Series of 2020, regulating the sale, distribution and consumption of liquor and other intoxicating beverages within the City during the Modified Enhanced Community Quarantine Period (MECQ);

WHEREAS, on 26 May 2020, Ordinance No. SP-2928, S-2020 entitled "An Ordinance Providing Penalties for Violation of Executive Order No. 31, Series of 2020 of the City Mayor in the Regulation of the Sale and Consumption of Alcoholic Beverages in Quezon City During the Period of Modified Enhanced Community Quarantine" was enacted, and this Ordinance was subsequently amended by Ordinance No. SP-2938, S-2020 to cover the General Community Quarantine period;

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WHEREAS, considering the necessity to address the recent alarming increase in the number of COVID-19 cases, there is a need to give authority to the City Mayor to issue emergency measures to be able to respond urgently to outbreaks encouraged in part by gatherings related to liquor consumption.

NOW, THEREFORE,

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

SECTION 1. EMERGENCY LIQUOR REGULATION. - From time to time during the period of Public Health Emergency due to the COVID-19 pandemic, the City Mayor shall have the authority to declare or modify a total or partial liquor ban, or otherwise issue such emergency measures necessary to regulate the sale or distribution of liquor, wine, beer, or any other alcoholic or intoxicating beverages, for such periods as the City Mayor may reasonably determine as necessary to curb any outbreak of COVID-19. Provided, that the foregoing authority shall be subject to any further regulations, resolutions or guidelines of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID) or the Metro Manila Council, or other relevant national agency.

SECTION 2. PENALTIES. - Any person, entity or establishment found to be in violation of any Orders, Regulations or Guidelines that shall be issued by the City Mayor under the authority given by this Ordinance with regard to the regulation of the sale, distribution and consumption of liquor and other intoxicating beverages shall be meted by the sanctions and appropriate penalties provided under Ordinance No. SP-2928, S-2020, as amended. 7

SECTION 3. REPEALING CLAUSE. - All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 4. SEPARABILITY CLAUSE. - If any provision of this Ordinance is declared void or unconstitutional, the remaining portions hereof shall not be affected and shall remain in full force and effect, 6

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SECTION 5. ENFORCEABLE PERIOD. - This Ordinance shall be enforceable during the period of Public Health Emergency due to the COVID-19 pandemic.

SECTION 6. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: March 15, 2021.




GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



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


APPROVED: MAR 31 2021



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 15, 2021 under Suspended Rules and was PASSED on Third/Final Reading on the same date.



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

