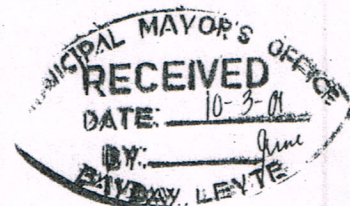


Republic of the Philippines
Province of Leyte
Municipality of Baybay



Office of the Sangguniang Bayan

Excerpt from the
MINUTES OF THE 31ST REGULAR SESSION OF THE SANGGUNIANG PAMBAYAN OF
BAYBAY, LEYTE HELD IN THE SESSION HALL ON SEPTEMBER 11, 2001.

PRESENT:

HON. FLORANTE M. CAYUNDA.....	Municipal Vice Mayor & Presiding Officer
HON. DEOGRACIAS E. PERNITEZ.....	Sangguniang Bayan Member
HON. JOSE C. GO.....	-do-
HON. MANUEL A. CHAN.....	-do-
HON. EDUARDO S. GUINOCOR, JR.....	-do-
HON. EDGARDO R. OMPOY.....	-do-
HON. REX A. RETANA.....	-do-
HON. JUANITO B. MODINA.....	-do-
HON. VIRGINIA L. DUMAGUING.....	-do-
HON. DONALD P. PERNITEZ.....	-do-

ABSENT:

HON. VICENTE G. VELOSO..... SB Member, OB, Cebu

MUNICIPAL ORDINANCE NO. 004 S. 2001

AN ORDINANCE REGULATING THE TIME OF DISPENSING AND/ OR SELLING OF LIQUOR WINE AND
OTHER ALCOHOLIC DRINKS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

SPONSORED & INTRO. BY : HON. D. P. PERNITEZ & E. R. OMPOY

Be it ordained by the Sangguniang Bayan of the Municipality of Baybay, Province of Leyte, in session
assembled, that:

Rationale:

The maintenance of peace and order is one of the prime concerns of the local government of Baybay
henceforth, it has to curve down the criminality in our municipality. Observation disclosed that most of the
crimes are committed during the wee hours in the morning between 12:00 Midnight-4:00 a.m. for those
persons who have been intoxicated with liquors, wine and other alcoholic drinks.

It is for this main reason that dispensing of such alcoholic drinks shall therefore be regulated to avoid
or minimize criminality in our municipality.

SECTION 1. TITLE OF THE ORDINANCE - The title of this ordinance shall be known as "An
Ordinance Regulating the time of Dispensing and/or selling of Liquor, wine and other Alcoholic Drinks and
providing penalties for violations thereof".

SECTION 2. - DEFINITION OF TERMS -

- Liquor - Any alcoholic beverage especially distilled spirits such as whisky brandy and rum;
- Wine - any fermented juice of some fruits containing various percentages of alcohol by
volume commonly used as beverage and often classified as dry or sweet, red or white,
still or sparkling;

- c. Other Alcoholic drinks - any other drinks, containing a certain percentage of alcohol that can intoxicate the drinker;
- d. Dispensing - to give or deal out in portion..
- e. Actual dispenser - a person who gives out or administers or deals out liquor, wine and other alcoholic drinks;
- f. Actual receiver - a person who receives or is a recipient of the liquor, wine and other intoxicating drinks.
- g. Sale - the act of selling or the actual exchange or transfer of money into its equivalent as the liquor, wine and other alcoholic drinks.
- h. Actual seller - means person or who actually dispense or sell liquor, wine and other alcoholic drinks and actually received payment or arranged credit for the same.
- i. Actual buyer - means person or persons who actually pay or arranged credit for the liquor, wine and other alcoholic drinks dispensed with by the actual seller.

SECTION 3. - No person or person are allowed to dispense or sell liquor, wine, and other alcoholic drinks beyond 12:00 midnight until 4:00 a.m. of the same day to any person.

SECTION 4. - Mandatory posting of the salient feature of this Ordinance is required upon the owner of the establishment, violation of which shall mean cancellation of the Mayors Permit previously issued to them.

SECTION 5. - Penalty Clause - Both the actual seller or dispenser of a business establishment and the actual buyer or receiver found violating this ordinance shall be penalized as follows:

- 1st Offense - P500.00 each to both the actual sellere or dispenser and the actual buyer or receiver
- 2nd Offense - Closure of the establishment and imprisonment of both the actual seller and the actual buver of not more than 3 months upon conviction at the discretion of the court.

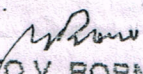
SECTION 6. - Repealing Clause - All related ordinances not consistent with this ordinance is herby repealed and or modified accordingly.

SECTION 7. - Effectivity - This ordinance shall take effect upon its approval.

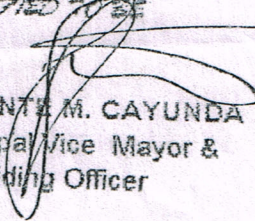
Enacted, September 11, 2001

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan of Leyte, Tacloban City, and all other offices concerned for their information and guidance.

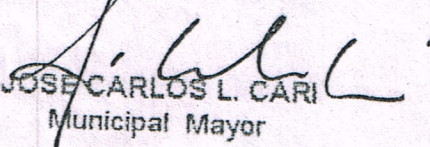
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on September 11, 2001.


 AMELITO V. BORNEO
 MG Department Head

ATTENDED AND CERTIFIED TO BE
 DULY ADOPTED:


 FLORANTE M. CAYUNDA
 Municipal Vice Mayor &
 Presiding Officer

APPROVED BY HIS HONOR:


 JOSE CARLOS L. CARI
 Municipal Mayor