

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Alangalang  
-000-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALANGALANG, LEYTE HELD AT THE LEGISLATIVE BUILDING SESSION HALL ON OCTOBER 22, 2007.

PRESENT:

- Hon. Mario V. Bague - Sangguniang Bayan Member/  
Temporary Presiding Officer
- Hon. Eileen A. Apurillo - Sangguniang Bayan Member
- Hon. Anast M. Superada - -do-
- Hon. Ant Vidua, Jr. - -do-
- Hon. Jet C. Agcao - -do-
- Hon. Virginia E. Yu - -do-
- Hon. Fedelina C. Figueroa - ABC/LIGA President

ABSENT:

- Hon. Isidro D. Gariando, Jr. - Municipal Vice Mayor/  
Acting Mun. Mayor
- Hon. Lilia V. Antoni - Sangguniang Bayan Member
- Hon. Edison Erwin V. Bulante - Sk Mun. Federation President

RESOLUTION NO. 07-164  
Series of 2007

A RESOLUTION AMENDING PARAGRAPH 1.1 SECTION 1 OF MUNICIPAL ORDINANCE NO. 04-03, SERIES OF 2004, OTHERWISE KNOWN AS THE ORDINANCE REGULATING SMOKING IN PUBLIC PLACES AND PROVIDING THEREWITH PENALTIES IN ACCORDANCE WITH THE IMPLEMENTING RULES AND REGULATIONS OF R.A. 9211, OTHERWISE KNOWN AS THE TOBACCO REGULATING ACT OF 2003.

WHEREAS, in view of the manifestation of Hon. Eileen A. Apurillo Chair Committee on Health and Sanitation, paragraph 1.1 Section 1 of Municipal Ordinance No. 04-03 is recommended for amendment,

WHEREFORE, on motion of Hon. Eileen A. Apurillo seconded by Hon. Virginia E. Yu, the Sangguniang Bayan -

RESOLVED, AS IT IS HEREBY RESOLVED, that the resolution adopted be enacted into a amendatory ordinance no. 07-05, series of 2007 to wit:

ORDINANCE NO. 07-05  
Series of 2007

AN ORDINANCE AMENDING PARAGRAPH 1.1, OF SECTION 1, OF MUNICIPAL ORDINANCE NO. 04-03, SERIES OF 2004 OTHERWISE KNOWN AS THE ORDINANCE REGULATING SMOKING IN PUBLIC PLACES AND PROVIDING THEREWITH PENALTIES IN ACCORDANCE WITH THE IMPLEMENTING RULES AND REGULATIONS OF R.A. 9211, OTHERWISE KNOWN AS THE TOBACCO REGULATING ACT OF 2003.

SECTION 1. Smoking ban in public places - Smoking shall absolutely be prohibited in the following public places:

f  
puc  
for  
G  
B  
Vg  
Capul  
C

**PUBLIC PLACE** - any place/establishment open to the public.

**INTOXICATING** - makes a person elated or excited to a degree of frenzy.

**JAM SESSION** - any gathering or merry making indulged in by young persons (whose main feature or activity is dancing.)

**SECTION 3.** It is unlawful for any minor 18 years of age and below.

- a.) To drink or to get drunk from or be found drunk of tuba or any intoxicating liquor, wine, or of any kind, in any of public street, park, plaza and playground, refreshment parlor, restaurant, bar, store, theater, or video houses, school, church, cemetery or in any public building or public gathering;
- b.) To smoke cigar, cigarette or rolled leaf of tobacco in any form in any place;
- c.) To sniff rugby/shabu or any intoxicating chemicals or drugs.
- d.) To sing, carol or chant, in a loud voice or to serenade with or without a musical instrument after (10) o'clock at night. Jam session held or sponsored by minors shall be allowed up to ten o'clock in the evening only.
- e.) To possess or hold pornographic, obscene and indecent literature, pictures and video films;
- f.) To be admitted in paid video houses after 8:00 O'clock in the evening;

**SECTION 4.** It is the duty of parents and guardians to make sure that their minors shall not violate any of the provisions hereof.

**SECTION 5.** The owner or proprietor of the places or establishments mentioned in Section 3 (a) hereof, as well as the principal or director or teacher of any school or the person in charge of the premises of the institution or establishment, as the case may be, shall report to the proper authorities, Chief of Police or his representative for investigation and prosecution, if the findings warrants, any violation of this ordinance committed in their respective buildings, premises of establishments.

**SECTION 6.** It is illegal for the owner, proprietor or person in charge of any bar, store, refreshment parlor or any other establishment wherein intoxicating wine, liquor or any kind of alcoholic drinks, cigar or cigarettes and tobacco are sold or dispensed to the public;

- a.) To serve to or allow minor to drink any kind of alcoholic beverages or liquor and to permit them to smoke cigar, cigarettes or tobacco in any form therein;
- b.) To allow any of its rooms or premises to be used by minors for any unlawful purposes;
- c.) To exhibit therein any picture, painting, carving, card or any other thing which is obscene, indecent or immoral or disseminate pornographic literature, pictures and video films.

**SECTION 7.** It is prohibited to sell or dispose to minors any intoxicating liquor, wine or any kind of alcoholic drinks, cigar or cigarettes and tobacco within the school building or its premises, church, cemetery, hospital or public buildings, public parks, plaza and playgrounds.

**SECTION 8.** No owner of a building or premises shall hold or permit the holding of a jam session in violation of and as defined in section 3 (c) thereof

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SECTION 9. Exemption – minors shall only be allowed to go beyond curfew time on all special occasions and holidays such as: *christmas, new year, birthday, fiesta, wedding, baptismal vigil, etc.* and on any other occasion sanctioned by the Local Government Unit.

SECTION 10. Penalties – Any minor apprehended and found guilty of violating any of the provisions of Section 3 hereof shall be punished by a *fine of not exceeding P200.00 or a community service for four hours in a given day for the 1<sup>st</sup> offense; P400.00 or a community services for four hours for two (2) days for the second offense and P600.00 and a community services for four hours for three days for Habitual Offenders.*

Any minor less than fifteen (15) years of age found guilty for violation of any of the provisions of Section 3 hereof shall be placed under the custody and care of guardian or person in the discretion of the court until such time, as the court may fix and determine.

The owner or persons in charge of video houses, bar, store refreshment parlor or any other establishment where intoxicating wine, liquor or similar drinks, or cigars, cigarettes, or tobacco is sold or dispense with to the provisions of section 5 & 6 hereof, and any person who is found guilty of section 7 & 8 hereof, shall be punished by a fine:

*1<sup>st</sup> OFFENSE: A fine of P 1,000.00/or imprisonment of 7 days or both such fine and imprisonment upon the discretion if the court.*

*2<sup>nd</sup> OFFENSE: A fine of P 2,000.00/or imprisonment of 15 days or both such fine and imprisonment upon the discretion of the court and suspension of Business Permit for 3 months.*

*3<sup>rd</sup> OFFENSE: Violation of these mentioned establishments to the provisions of this ordinance shall be subjected to the cancellation/revocation of their business permits and licenses to operate.*

SECTION 11. This ordinance shall be implemented by the Philippine National Police with the assistance and coordination with the Barangay Tanods of respective barangays and the licensing Inspection Team of the local government unit.

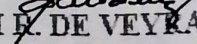
SECTION 12. This ordinance repeals any ordinance or parts thereof which is inconsistent with the provisions hereof.

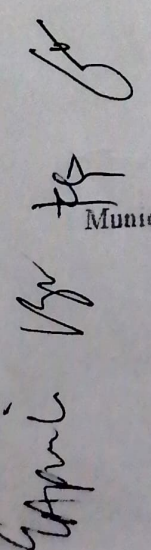
SECTION 13. This ordinance shall take effect three (3) weeks after copies hereof are posted at conspicuous places in the municipality.

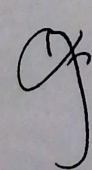
ENACTED by the Sangguniang Bayan on February 11, 2008.

APPROVED UNANIMOUSLY.

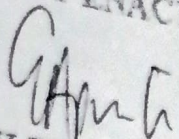
I HEREBY CERTIFY to the correctness of the foregoing Resolution No. 08-052 enacting Municipal Ordinance No. 07-07, Series of 2007.

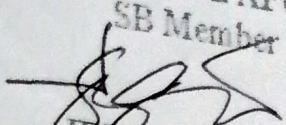
  
DANI E. DE VEYRA  
Municipal SB Secretary

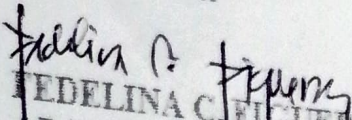


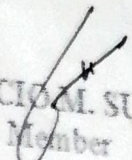


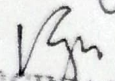
ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:

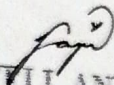
  
EILEEN A. APURILLO  
SB Member

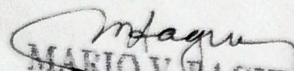
  
J. C. SYDIONGCO  
SB Member

  
FEDELINA C. FIGUEROA  
ABC/LIGA President

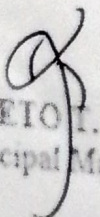
  
ANASTACIO M. SUPERADA  
SB Member

  
VIRGINIA E. YU  
SB Member

  
LOVELL ANNE M. YU  
SK Mun. Federation President

  
MARIO V. LAGUE  
Sangguniang Bayan Member  
Temporary Presiding Officer

APPROVED:

  
LORETO I. YU  
Municipal Mayor