



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 90-063

AN ORDINANCE PROHIBITING ANY PERSON BELOW 18 YEARS OLD FROM DRINKING LIQUOR OR ANY ALCOHOLIC DRINKS OR BEVERAGES CONTAINING NO LESS THAN 4% ALCOHOL OF ITS TOTAL VOLUMER IN PUBLIC PLACES OR ESTABLISHMENTS WITHIN THE CITY OF NAGA AND PROHIBITING ANY PERSON OR PERSONS FROM SELLING, DISPENSING SAID ALCOHOLIC DRINKS TO PERSONS BELOW 18 YEARS OLD AND PROVIDING PENALTIES THEREOF:-

Motioned by: Hon. Noe B. Botor
Seconded by: Hon. Rodolfo Z. Fortuno
Hon. Erlinda R. Libunao

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. -DEFINITION OF TERMS. -The terms for purposes of this ordinance shall mean:

- a) Minor – Any person whose age is below 18 years old from his birth date.
- b) Alcoholic Drinks or Beverages – Any drinks containing alcohol of no less than 4% of its total volume or content.
- c) Establishment - Any licensed or unlicensed store, bars, nightclubs, beer houses/gardens, disco houses, restaurants or any public eating-places.
- d) Dispense - To sell, distribute, serve, deal out, and give away with or without monetary consideration.
- e) Owner – License or owner of the establishment either called the proprietor(s), president, manager, chairman or head of any partnership or corporation.

SECTION 2. - PROHIBITIONS. - It shall be unlawful for any person below 18 years old to drink any wine/liquor or any alcoholic drinks or beverages in any public place and/or establishment either licensed or unlicensed within the City of Naga.

SECTION 3. - It shall be unlawful to any [person, owner, or establishment to sell or to dispense any alcoholic drinks or beverages to any minor.

SECTION 4. - PENALTY. -(a) Any minor found violating Section 2 hereof shall be punished with a fine of not less than Two Hundred (P200.00) Pesos but more than Five Hundred (P500.00) Pesos or an imprisonment of not less than Five (5) days but not more than Fifteen (15) days; or both such fine and imprisonment at the discretion of the court, with subsidiary imprisonment in case of insolvency.

(b) Any owner of establishment found violating Section 3 hereof should be punished with the following:

1st Offense – a fine of not less than Three hundred (P300.00) Pesos but not more than Five Hundred (P500.00) Pesos; or an imprisonment of not less than one (1) month but not more than two (2) months; or both such fine and imprisonment upon the discretion of the court;

2nd Offense – a fine of not less than Five Hundred (P500.00) Pesos but more than eight Hundred (P800.00) Pesos; or an imprisonment of not less than two (2) months but not more than four (4) months or both such fine and imprisonment upon the discretion of the court;

3rd Offense – a fine of not less than Eight Hundred (P800.00) Pesos but not more than One Thousand (P1, 000.00) Pesos or an imprisonment of not less than four (4) months but not more than six (6) months or both such fine and imprisonment upon the discretion of the court and the closure of the establishment for a period of not more than one (1) month.

SECTION 5. - SEPARABILITY CLAUSE. - Any provision or portion of this ordinance found to be unconstitutional or invalid shall not impair the other provisions or parts thereof which shall continue to be enforce and in effect.

SECTION 6. - REPEALING CLAUSE. -All ordinances, rules, orders and regulations or parts thereof, which are inconsistent or in conflict with any of the provisions of this ordinance are hereby modified and/or repealed accordingly.

SECTION 7. - EFFECTIVITY. -This ordinance shall be in full force and effect thirty (30) days immediately upon it's approval.

ENACTED: September 26, 1990.

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
Secretary to the
Sangguniang Panlungsod

LOURDES V. ASENCE
Vice Mayor & Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor

ATTESTED:

J. ANTONIO A. AMPARADO
City Secretary