



## *Office of the Sangguniang Panlalawigan*

EXCERPT FROM THE MINUTES OF THE 29<sup>th</sup> REGULAR SESSION OF THE 10<sup>th</sup> SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON APRIL 28, 2020.

**PRESENT:**

FAUSTINO G. DY III	Vice Governor & Presiding Officer
DELFINITO EMMANUEL L. ALBANO	Member (1 <sup>st</sup> District) & Floor Leader
EMMANUEL JOSELITO B. AÑES	Member (1 <sup>st</sup> District)
ED CHRISTIAN S. GO	Member (2 <sup>nd</sup> District)
EDGAR R. CAPUCHINO	Member (2 <sup>nd</sup> District)
RAMON JUAN N. REYES, JR.	Member (3 <sup>rd</sup> District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 <sup>rd</sup> District)
CLIFFORD R. RASPADO	Member (4 <sup>th</sup> District)
ABEGAIL V. SABLE	Member (4 <sup>th</sup> District)
FAUSTINO U. DY IV	Member (5 <sup>th</sup> District)
EDWARD S. ISIDRO	Member (5 <sup>th</sup> District)
ALFREDO V. ALILI	Member (6 <sup>th</sup> District)
MARCO PAOLO A. MERIS	Member (6 <sup>th</sup> District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
VENUS T. BAUTISTA	Member, Women's Sectoral Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

### **EXPLANATORY NOTE**

**WHEREAS**, the Provincial Government of Isabela adheres to the mandates, directives, and regulations of the National Government pertaining to Disaster Risk Reduction and Management;

**WHEREAS**, Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act of 2012, directs local government units to enhance their capabilities on four thematic areas: prevention and mitigation, preparedness, response, rehabilitation and recovery to make communities around the country resilient to the occurrence of natural and man-made calamities;

**WHEREAS**, it is a proven fact that alcohol intoxication clouds the reasoning and diminishes the overall mobility of affected individuals thereby putting them at greater risk to potential danger, especially in times of emergencies where their alertness and sound judgment are necessary for survival;

**WHEREAS**, pursuant to the mandate of the Provincial Government of Isabela to promote the safety and general welfare of its citizens, the 7<sup>th</sup> version of the Sangguniang Panlalawigan passed Ordinance No. 08, series of 2011 which established a liquor ban in the Province of Isabela before, during, and after typhoons;

***Nagkaisa para sa Isabela***



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**AN ORDINANCE EXPANDING ORDINANCE NO. 8, SERIES OF 2011 WHICH IMPOSED A LIQUOR BAN IN THE PROVINCE OF ISABELA BEFORE, DURING, AND AFTER A TYPHOON TO INCLUDE OTHER FORMS OF CALAMITIES, PROVIDING PENALTIES FOR VIOLATIONS, AND ESTABLISHING MECHANISMS FOR IMPLEMENTATION THEREOF**

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**WHEREAS**, the geographical location of the Province makes it susceptible not only to typhoons but also to other forms of natural calamities such as non-typhoon related flooding, tsunamis, and earthquakes;

**WHEREAS**, the Province must also consider establishing anticipatory mechanisms and preemptive measures against human-induced calamities considering that humankind is capable of, wittingly or unwittingly, producing catastrophic events;

**WHEREAS**, there is a need to expand the coverage of the liquor ban to include other forms of calamities, both natural and man-made in origin, to make the Province's top-notch disaster preparedness mechanisms and risk reduction operations even more effective, and to further ensure the safety and security of Isabeleños during such dire events;

**NOW, THEREFORE**, premises considered, and by virtue of the powers vested by law, it is hereby resolved to enact –

**ORDINANCE NO. 2020-13-1**  
**SERIES OF 2020**

**AN ORDINANCE EXPANDING ORDINANCE NO. 8, SERIES OF 2011 WHICH IMPOSED A LIQUOR BAN IN THE PROVINCE OF ISABELA BEFORE, DURING, AND AFTER A TYPHOON TO INCLUDE OTHER FORMS OF CALAMITIES, PROVIDING PENALTIES FOR VIOLATIONS, AND ESTABLISHING MECHANISMS FOR IMPLEMENTATION THEREOF**

**Sponsor: HON. EMMANUEL JOSELITO B. AÑES**  
Chairperson, Committee on Public Security and Order

**Co-Sponsor: HON. RANDOLPH JOSEPH P. ARREOLA**  
Member, Committee on Laws, Rules and Regulations

**SECTION 1. SHORT TITLE.** This Ordinance shall be known as the *"Isabela Comprehensive Liquor Ban Ordinance of 2020"*.

As used in this Ordinance, **"Intoxicating Beverages"** shall refer to any liquor intended for use as a beverage which contains alcohol, either obtained by fermentation or by the additional process of distillation, which if consumed in such proportion will result in intoxication.

**SECTION 2. IMPOSITION OF LIQUOR BAN.** It is hereby declared as prohibited the **consumption, sale, purchase, and distribution** of intoxicating beverages in the occurrence of any of the following scenarios:

- (a) In localities of the Province over which a Tropical Cyclone with a strength of at least Signal No. 01 is hoisted by the Philippine Atmospheric Geophysical and Astronomical Service Administration;
- (b) In localities of the Province to which a Super Typhoon is projected to land within forty-eight (48) hours, as determined by the Philippine Atmospheric Geophysical and Astronomical Service Administration.

- (c) In localities of the Province experiencing or expected to experience severe flooding until such time that the flooding or the threat of flooding has dissipated, as determined by the Provincial Governor or proper authorities;
- (d) For a duration of seven (7) days, in localities of the Province which experienced considerable loss or damage from an earthquake;
- (e) In the municipalities of Maconacon, Divilacan, Palanan, and Dinapigue in the event that a tsunami warning is issued by appropriate authorities until such time that the tsunami warning has been lifted, or, if a tsunami has occurred and landed on any or all of such areas, until such time that the Provincial Governor deems it necessary;
- (f) In territories of the Province experiencing civil unrest or wherein mass hostility is occurring, until such time that the civil unrest has settled or the mass hostility has been resolved;
- (g) In localities of the Province declared to be under State of Emergency, until such time that such declaration or the reason for the declaration has ceased;
- (h) In the entire Province in case of declaration by the National Government of a State of Emergency, or other analogous declarations, which covers the Province of Isabela, until the declaration or the reason for such declaration has ceased as determined by proper authorities; and
- (i) For an appropriate duration in localities which the Provincial Governor deems it necessary under appropriate circumstances, or as declared by the National Government.

The Provincial Governor may extend the period of any liquor ban imposed herein for a duration as he may deem necessary.

**Section 3. PENAL CLAUSE.** The following acts are hereby declared as unlawful and hereby accorded with penalties, viz:

- a) Any person found to be under the influence of an intoxicating beverage or has purchased intoxicating beverage in times when the herein liquor ban is effective shall be meted with a penalty of two thousand pesos (Php2,000.00).

In case of failure to pay the fine within seven (7) days from date of apprehension, the penalty shall be increased to Three Thousand Pesos (Php3,000.00), or an imprisonment of three (3) months, or both, upon discretion of the Court.

- b) Any person or business establishment found to be offering, selling, and allowing the consumption of alcoholic beverages in his premises shall be meted with a fine of Four Thousand Pesos (Php4,000.00).

In case of failure to pay the fine within seven (7) days from date of apprehension, the penalty shall be increased to Five Thousand Pesos (Php5,000.00), or an imprisonment of six (6) months, or both, upon discretion of the Court, and the cancellation of the appropriate business permit.

**Section 4. DRUNK DRIVING DURING THE ALCOHOL BAN.** Any person found to be under the influence of alcohol and is driving a vehicle while the herein established liquor ban is effective shall be penalized in accordance to Republic Act No. 10586 or the Anti-Drunk Driving Law in addition to the penalties hereto set forth.

**Section 5. DEPUTIZATION OF AUTHORITY TO ENFORCE ORDINANCE.** The following governmental agencies and personalities are authorized, deputized, and mandated to enforce this Ordinance and to cause the citing or arrest or apprehension of any person violating this Ordinance:

- (a) Philippine National Police;
- (b) Barangay Officials, whether elected or appointed, including their deputized Barangay Tanods, in their respective barangays;
- (c) Persons to be deputized by the City and Municipal Mayors with proper identification card.

**Section 6. ISSUANCE OF OFFICIAL RECEIPT TO VIOLATORS.** All payments made for violation of this Ordinance shall be issued with a government-recognized Official Receipt.

**Section 7. INFORMANT.** Any person may provide information, including the names of the violators and other attending facts, to any Enforcing Officer regarding any occurring incident violative to this Ordinance.

The Enforcing Officer shall immediately verify the received information and if proven true, proceed to enforce the provisions of this Ordinance.

**SECTION 8. INCENTIVES.** Payments received for violation of this Ordinance shall accrue to the following persons and entities:

- 10% to the Informant;
- 40% to the Province; and
- 50% to the Apprehending Office or LGU.

**SECTION 9. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

**SECTION 10. REPEALING CLAUSE.** All Ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

**SECTION 11. EFFECTIVITY.** This Ordinance shall take effect immediately upon approval.

**AN ORDINANCE EXPANDING ORDINANCE NO. 8, SERIES OF 2011 WHICH IMPOSED A LIQUOR BAN IN THE PROVINCE OF ISABELA BEFORE, DURING, AND AFTER A TYPHOON TO INCLUDE OTHER FORMS OF CALAMITIES, PROVIDING PENALTIES FOR VIOLATIONS, AND ESTABLISHING MECHANISMS FOR IMPLEMENTATION THEREOF**

I hereby certify that the foregoing ordinance was duly enacted by the Sangguniang Panlalawigan of Isabela during its 29<sup>th</sup> Regular Session on April 28, 2020.

**ATTY. FRANCIS JAMES E. MEER**  
Secretary, Sangguniang Panlalawigan

ATTESTED:

**DELFINITO EMMANUEL L. ALBANO**  
Member (1<sup>st</sup> District) and Floor Leader

**EDGAR R. CAPUCHINO**  
Member (2<sup>nd</sup> District)

**RANDOLPH JOSEPH P. ARREOLA**  
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Member, Women's Sectoral

**GRETCHEN F. VALDEZ**  
Member, Indigenous Cultural Communities  
Sector Representative

**FAUSTINO G. DY III**  
Provincial Vice Governor & Presiding Officer

APPROVED:  
**RODOLFO T. ALBANO III**  
Provincial Governor