



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 846, S-2021

AN ORDINANCE SUSPENDING THE PROVISIONS OF ORDINANCE NO. 763, S-2020, AS AMENDED BY ORDINANCE NO. 790, S-2020 WHICH BANS THE SELLING, SERVING, AND DELIVERY OF LIQUOR, AND RETAINING THE REGULATION OF CONSUMPTION OF LIQUOR TO PROMOTE PHYSICAL DISTANCING IN THE CITY OF MANDALUYONG

WHEREAS, on March 17, 2020, the Sangguniang Panlungsod of Mandaluyong enacted Ordinance No. 763, S-2020 entitled "AN ORDINANCE TEMPORARILY BANNING THE SALE AND DELIVERY, AND REGULATING THE CONSUMPTION OF LIQUOR IN THE CITY OF MANDALUYONG TO PROMOTE SOCIAL DISTANCING;"

WHEREAS, the liquor ban was eventually lifted by Ordinance No. 777, S-2020 in order to assist local liquor industries to thrive in their businesses and help refuel the economy. However, the provision on the regulation of consumption of liquor under Ordinance No. 763, S-2020 had remained in full force and effect;

WHEREAS, on August 5, 2020, seeing the need of the City Government of Mandaluyong to reinforce and strictly implement its social distancing measures and protocols to help contribute in containing the spread of the virus, reimposed the liquor ban on selling and serving and regulation of its consumption during the period of ECQ and MECQ through Ordinance No. 790, S-2020;

WHEREAS, the liquor ban ordinances temporarily prohibit the sale and delivery of alcoholic drinks and regulate the consumption thereof during the Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) measure in the City of Mandaluyong to avoid mass gatherings, which can prevent the spread of the COVID-19 virus;

WHEREAS, on May 3, 2021, the Sangguniang Panlungsod, recognizing the plight of the domestic liquor industry, enacted Ordinance No. 826, S-2021 which lifted the Liquor Ban within the City but allowed the City Mayor to ask for its immediate reimposition;

WHEREAS, on August 5, 2021, following the letter sent by the City Mayor on August 3, 2021 asking for the reimposition of the Liquor Ban in accordance with Ordinance No. 826, S-2021, and considering the reversion of the City to ECQ from August 6, 2021 until August 20, 2021, the Sangguniang Panlungsod issued Resolution No. 3001, S-2021 confirming the immediate reimposition of Liquor Ban in the City, having met the conditions in Ordinance No. 826, S-2021;

WHEREAS, on August 19, 2021, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) issued Resolution No. 134, Series of 2021 which placed the National Capital Region under Modified Enhanced Community Quarantine (MECQ) beginning on August 21, 2021 until August 31, 2021 without prejudice to the imposition of localized Enhanced Community Quarantine in critical areas;

WHEREAS, recognizing anew the economic hardship that the domestic liquor industry has experienced due to the reimposition of the ban and in accordance with the balancing of interest theory, the Sangguniang Panlungsod hereby recognizes the need to suspend the reimposed Liquor Ban without compromising the City's fight against the COVID-19 virus.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Mandaluyong, in session assembled:

Section 1. **SUSPENSION OF LIQUOR BAN.** The temporary ban on the sale and delivery of alcohol, wine, beer, liquor and other intoxicating beverages which covers sari-sari stores, convenience stores, groceries, liquor stores, restaurants, business establishments, and the likes for household consumption in the City of Mandaluyong during the Enhanced Community Quarantine (ECQ) and Modified Enhanced Community Quarantine (MECQ) period is hereby suspended; provided, that the necessary health protocols and allowable hours mandated by the IATF and other national and local agencies are properly observed.

Section 2. **REGULATION OF THE CONSUMPTION OF LIQUOR.** The preceding provision notwithstanding, the consumption of liquor in public places shall still be prohibited. Consumption within the confines of one's own home is allowed, provided, that only members of the household may consume the same, provided further, that no person shall invite guests or visitors for drinking sessions inside their private residences.

Section 3. **SUBSEQUENT IMPOSITION OF LIQUOR BAN.** A Liquor Ban measure may be imposed upon the issuance of the appropriate Executive Order by the City Mayor if the circumstances warrant or when a national guideline requires the same, in which case, an Executive Order adopting such guideline may be issued.

Section 4. **SEPARABILITY CLAUSE.** If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full force and effect as though this Ordinance did not originally include such invalid, illegal, or unenforceable provision.

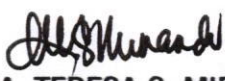
Section 5. **REPEALING CLAUSE.** All Ordinances and Resolutions or any part thereof which are inconsistent with the foregoing provisions are hereby repealed or modified accordingly.

Section 6. EFFECTIVITY. This Ordinance shall take effect immediately upon approval, and shall remain in full force and effect unless amended, suspended, or repealed, as the case may be.

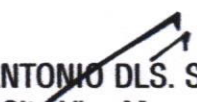
Section 7. COPIES FURNISHED. Let copy of this Ordinance be furnished the Office of the City Mayor, Mandaluyong City Police Station and those PNP personnel stationed in Mandaluyong City, Barangay Officials, City Ordinance and Enforcement Division (COED), City Business Permit and Licensing Department, Anti-Vice Division, Public Order and Safety Division, Mayor's Action Command (MAC) and other offices concerned for their information, guidance and reference.

ENACTED on this 24th day of August, 2021 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN A SPECIAL SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS. SUVA
City Vice Mayor &
Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: AUG 27 2021