

Item No.: 26
Date: 29 2025 APR



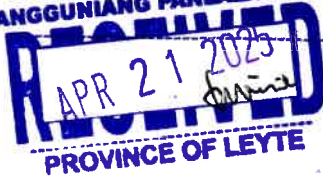
Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office

Subscribed: [Signature]
Time: 4-21-25

SANGGUNIANG PANLALAWIGAN



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
March 27, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-07 of the Sangguniang Bayan of Javier, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2025-07 entitled: **"An Ordinance prohibiting any person or persons or establishments to sell or dispense alcoholic drinks or beverages to minors and providing penalties thereof."**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(a)¹ of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

[Signature]
ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹;(a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
24 March 2025

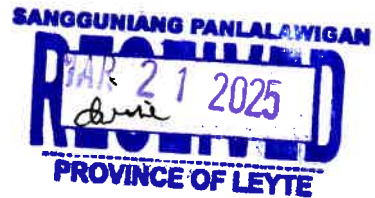
Office of the
Legal Office
Sec. 3-11
3-21-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-07** of the **Municipality of Javier, Leyte**, entitled: **An Ordinance prohibiting any person or persons or establishments to sell or dispense alcoholism drinks or beverages to minors and providing penalties thereof.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

original

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JAVIER
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Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF JAVIER,
LEYTE HELD AT THE MUNICIPAL SESSION HALL ON MARCH 10, 2025

Present :

Mun. Vice-Mayor Emma M. Abueva, presiding officer
SB Member Guilbert M. Lanoy
SB Member Roldan G. Meras
SB Member Marino C. Merilo
SB Member Eriberta R. Ponce
SB Member Stephen Mark I. Papalid
SB Member Michelle O. Moreno
SB Member Romeo C. Malinao
SB Member Alberto A. Rifios
SK Fed. President Ericka T. Cabangunay
Liga President Andy L. Dingal

Absent : None

ORDINANCE No. 2025-07

Authored by : HON. ERICKA T. CABANGUNAY

AN ORDINANCE PROHIBITING ANY PERSON OR PERSONS OR ESTABLISHMENTS TO SELL OR DISPENSE
ALCOHOLIC DRINKS OR BEVERAGES TO MINORS AND PROVIDING PENALTIES THEREOF.

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Javier, Leyte, THAT :

SECTION 1. This Ordinance shall be known as " An Ordinance Prohibiting Minors Access to
Alcoholic Drinks and Beverages in the Municipality of Javier, Leyte".

SECTION 2. As used in this Ordinance, the following shall mean :

- a. Minor - Person whose age is below 18 years old
- b. Establishment -Any store, bars, beer houses/gardens, disco houses, restaurants,
nightclubs or public eating-
- c. Dispense -to sell, distribute, serve, deal out, and give away with or without
monetary consideration
- d. Alcoholic Drinks or Beverages – Drinks that contains alcohol of no less than 4% of its total
total volume or contents

SECTION 3. It shall be unlawful and prohibited to any person or persons or establishments to
sell or dispense alcoholic drinks or beverages to minor or minors.

SECTION 4. Violating the provisions of this Ordinance shall be meted with penalty as follows :

First Offense - One Thousand Pesos (P 1,000.00)

Second Offense- One Thousand Five Hundred Pesos (P 1,500.00)

Third and Succeeding Offenses-Two Thousand Pesos (P 2,000.00)

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SECTION 5. Any provision or portion of this Ordinance found to be unconstitutional or invalid shall not affect the other provisions or parts hereof which shall continue to be enforced and in effect.

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

SECTION 7. This Ordinance shall take effect immediately upon approval.

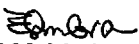
APPROVED UNANIMOUSLY :

MARCH 10, 2025

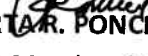
CERTIFIED CORRECT :

ERVON DANIEL B. LAJARA
SB Secretary

ATTESTED :


HON. EMMA M. ABUEVA
Municipal Vice-Mayor
Presiding Officer


HON. GUILBERT M. LANOY
SB Member

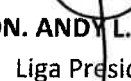

ERIBERTO R. PONCE
SB Member


HON. ROMEO C. MALINAO
SB Member


HON. ROLDAN G. MERAS
SB Member

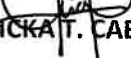

HON. STEPHEN MARK I. PAPALID
SB Member


HON. ALBERTO A. RIÑOS
SB Member


HON. ANDY L. DINGAL
Liga President


HON. MARINO C. MERILO
SB Member


HON. MICHELLE O. MORENO
SB Member


HON. ERICKA T. CABANGUNAY
SK Fed. President

APPROVED :


HON. MICHAEL DRAGON T. JAVIER
Municipal Mayor

Republic of the Philippines

Province of Leyte

MUNICIPALITY OF JAVIER

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Office of the Sangguniang Bayan

March 11, 2025

CERTIFICATION

TO WHOM IT MAY CONCERN :

THIS IS TO CERTIFY that **ORDINANCE NO. 2025-07, "AN ORDINANCE PROHIBITING ANY PERSON OR ESTABLISHMENTS TO SELL OR DISPENSE ALCOHOLIC DRINKS OR BEVERAGES TO MINORS AND PROVIDING PENALTIES THEREOF"**, is posted in the entrance of the Municipal Hall and two (2) conspicuous places in the Municipality since March 11, 2025 and shall remain posted for three (3) consecutive weeks.


HON. EMMA M. ABUEVA
Municipal Vice-Mayor