



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Provincial Capitol  
 Tacloban City

-oOo-

**PROVINCIAL LEGAL OFFICE**

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**2<sup>nd</sup> INDORSEMENT**  
 February 12, 2026

Item No.: 02

Date: 02-2026 MAR

PROVINCE OF LEYTE  
 LEGAL OFFICE  
**RELEASED**  
 By: [Signature]  
 Date: 2.17.26  
 Sangguniang Panlalawigan  
 Province of Leyte  
**RECEIVED**  
 Date: FEB 19 2026  
 By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-16 of the Sangguniang Bayan of San Miguel, Leyte.

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

- Ordinance No. 2025-16 entitled: **“Anti-Public Drinking Ordinance of the Municipality of San Miguel , Leyte**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Section 447(a)(1)(v)<sup>1</sup> 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.

  
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer*

<sup>1</sup> (v) Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution or exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the municipality;

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

1<sup>ST</sup> INDORSEMENT  
30 January 2026

PROVINCE OF LEYTE  
LEGAL OFFICE  
RECEIVED  
By: [Signature]  
Date: 01.30.26 Me: 4vw

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-16**, of the **Municipality of San Miguel, Leyte**, entitled: **An Ordinance prohibiting the drinking, consumption, and possession of alcoholic beverages in public places outside private residences within the Municipality of San Miguel, Leyte providing penalties therefor and for other purposes.**

  
FLORINDA JILL S. UYVICO  
Secretary to the Sangguniang



Republic of the Philippines  
**PROVINCE OF LEYTE**  
MUNICIPALITY OF SAN MIGUEL  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

SANGGUNIANG PANLALAWIGAN



January 26, 2026

The Honorable Members of the Sangguniang Panlalawigan of Leyte  
Thru: The Sangguniang Panlalawigan Secretary  
Provincial Legislative Building  
Tacloban City

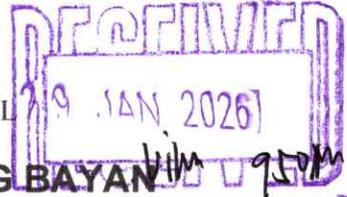
Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of San Miguel, Leyte, for review and approval, to wit:

1. Fourteen (14) copies of Municipal Ordinance No. 2025-16, Series of 2025 entitled **"AN ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES."** as embodied under Resolution No. 263 Series of 2025.
2. Fourteen (14) copies of Certificate of Posting.

Kindly acknowledged receipt hereof.

  
**BRYAN NEIL B. BRAZIL**  
Secretary to the Sangguniang Bayan



**OFFICE OF THE SANGGUNIANG BAYAN**

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE ON NOVEMBER 24, 2025

**PRESENT:**

- Hon. Estanislao D. Sabdao, Jr. - Municipal Vice-Mayor/Presiding Officer
- Hon. Jerome P. Penaranda - SB Member
- Hon. Danilo L. Aureo - SB Member
- Hon. Letecia G. Espos - SB Member
- Hon. Raul A. Salano - SB Member
- Hon. Richard Len B. Lapidario - SB Member
- Hon. Samuel P. Salomon -Ex-Officio Member, President, Liga ng mga Barangay

**ABSENT:**

- Hon. Norman Niel G. Martija - SB Member (on official Travel)
- Hon. Francis Jay D. Sabdao - SB Member (on leave)
- Hon. Thelma M. Brazil - SB Member (on official travel)
- Hon. Joss Novem B. Labaclado -Ex-Officio Member, President, Sangguniang Pambayang Pederasyon (on leave)

**Resolution No. 263  
 Series of 2025**

**AN ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES**

**WHEREAS**, the State recognizes the vital role of local government units in promoting public order, safety, health, and general welfare within their respective territorial jurisdictions;

**WHEREAS**, Section 16 (General Welfare Clause) and Section 447 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empower the Sangguniang Bayan to enact ordinances to maintain peace and order, protect public morals, and ensure the safety and well-being of its constituents;

**WHEREAS**, the indiscriminate drinking, consumption, and possession of alcoholic beverages in public places such as streets, sidewalks, parks, plazas, and other similar areas have been observed to contribute to public disturbance, disorderly conduct, accidents, and other incidents inimical to public safety and morals;

**WHEREAS**, the unrestricted consumption and possession of alcoholic beverages in public places adversely affect minors, disrupt community harmony, and undermine efforts to promote a safe, healthy, and family-friendly environment within the Municipality;

**WHEREAS**, it is necessary to regulate the drinking, consumption, and possession of alcoholic beverages in public places outside of private residences and duly licensed business establishments in order to promote discipline, public decency, and respect for community standards;

**WHEREAS**, the Municipality of San Miguel, Leyte, is committed to safeguarding the welfare of its residents by adopting reasonable measures to prevent alcohol-related nuisances and maintain peace and order in public areas;

**NOW THEREFORE**, on motion of Hon. Richard Len B. Lapidario duly seconded by Hon. Jerome P Penaranda, Hon. Letecia G. Espos and Hon. Danilo L. Aureo.

BE IT ORDAINED by the SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE, in session assembled, that:

Certified Correct:

ROGELIO D. EMBERSO  
 LSE II / Acting SB Secretary

Attested by:

HON. ESTANISLAO D. SABDAO, JR.  
 Municipal Vice-Mayor/Presiding Officer

Concurred:

HON. JEROME P. PENARANDA  
 SB MEMBER

HON. DANILLO L. AUREO  
 SB MEMBER

Approved:

HON. LETECIA G. ESPOS  
 SB MEMBER

HON. RAUL A. SALANO  
 SB MEMBER

HON. RICHARD LEN B. LAPIDARIO  
 SB MEMBER

HON. SAMUEL P. SALOMON  
 President, Liga ng mga Barangay

ATTY. NORMAN D. SABDAO  
 Municipal Mayor

MUNICIPAL ORDINANCE NO. 2025-16  
Series of 2025

**AN ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES**

**Sponsor: HON. RICHARD LEN B. LAPIDARIO  
SB Member/Chairman on Peace and Order, Public Safety and Legal Matters**

**SECTION 1. TITLE.** This Ordinance shall be known as the "Anti-Public Drinking Ordinance of the Municipality of San Miguel, Leyte."

**SECTION 2. DECLARATION OF POLICY.** It is hereby declared the policy of the Municipality of San Miguel to promote peace and order, public decency, and the general welfare of its inhabitants. The Municipality recognizes that the indiscriminate consumption of intoxicating drinks in public places contributes to the occurrence of crimes, disturbances, unsanitary conditions, and other social problems. Hence, this ordinance seeks to regulate and prohibit drinking in public places to maintain public safety and moral discipline.

**SECTION 3. OBJECTIVES.**

This Ordinance aims to:

- a. Prevent public disturbances, crimes, and disorder arising from public drinking;
- b. Promote a wholesome and peaceful community environment;
- c. Protect minors and vulnerable sectors from the harmful influence of public intoxication;
- d. Ensure cleanliness and orderliness in public areas within the Municipality.

**SECTION 4. DEFINITION OF TERMS.**

For the purposes of this Ordinance, the following terms shall mean:

- a. Alcoholic Beverage - refers to any drink containing alcohol such as beer, wine, gin, rum, brandy, whisky, tuba or any other local wine and any other intoxicating liquor.
- b. Drinking or Consumption the act of ingesting or consuming alcoholic beverages through any means.
- c. Public Places - refers to any place accessible to the public, whether publicly or privately owned, including but not limited to:
  - 1. Streets, sidewalks, alleys, bridges, parks, plazas, public markets, terminals, parking areas, open spaces, and public buildings;
  - 2. Waiting sheds, basketball courts, beaches, riverbanks, barangay halls, covered courts, and other similar public areas;
  - 3. Establishments open to the public such as groceries, convenience stores, sari-sari stores, carinderias, and eateries, and the like, when drinking occurs outside the confines of the establishment or within areas not authorized by a business permit.

Certified Correct:

ROGELIO D. EMBERSO  
LISE II / Acting SB Secretary

Attested by:

HON. ESTANISLAO D. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

Concurred:

HON. JEROME P. ENABRANDA  
SB MEMBER

HON. DANILO U. AUREO  
SB MEMBER

Approved:

HON. LETECIA G. ESPOS  
SB MEMBER

HON. RAUL A. SALANO  
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

ATTN: NORMAN D. SABBDO  
Municipal Mayor

Certified Correct:

ROGELIO B. EMBERSO  
LISE II Acting SB Secretary

Attested by:

HON. ESTANISLAO D. SABBADO, JR.  
Municipal Vice-Mayor/Presiding Officer

Concurred:

HON. RICHARD LEN B. LAPIDARIO  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

HON. JEROME P. PARARANDA  
SB MEMBER

HON. DANILLO L. AUREO  
SB MEMBER

Approved:

ATTY. NORMAN D. SABBADO  
Municipal Mayor

HON. LETECIA G. ESPOS  
SB MEMBER

HON. RAUL A. SALAÑO  
SB MEMBER

d. Private Residence - refers to any privately owned home, house, apartment, or dwelling unit, including the enclosed yard or fenced property thereof.

e. Person - any individual, whether resident or visitor, within the territorial jurisdiction of the Municipality.

**SECTION 5. PROHIBITED ACTS.**

It shall be unlawful for any person to:

- a. Drink or consume any alcoholic beverage in any public place as defined in Section 4(c) of this Ordinance;
- b. Hold or possess an open container or bottle of alcoholic beverage in a public place with the intent to consume the same;
- c. Permit or tolerate drinking of alcoholic beverages by customers or guests outside the authorized premises of any store, restaurant, or business establishments;
- d. Cause disturbance or nuisance related to drinking in any public area such as loud shouting, fighting, or littering empty bottles and cans.

**SECTION 6. EXEMPTIONS.**

The following shall be exempted from the prohibition:

- a. Private gatherings held inside private residences, fenced yards, or enclosed private properties not open to the public;
- b. Public occasions duly authorized by the Municipal Mayor or Barangay Captain such as fiestas, festivals, and special events, provided that drinking is confined within designated areas and conducted under proper supervision;
- c. Licensed establishments such as restaurants, bars, or resorts with valid permits allowing the serving of alcoholic beverages within their authorized premises only.

However, setting up tables outside of the confined structures of business establishments mentioned above is not allowed.

**SECTION 7. PENALTIES.**

Any person found violating this Ordinance shall be penalized as follows:

First Offense: Fine of P500.00 or community service for 4 hours, or both at the discretion of the court.

Second Offense: Fine of P1,000.00 and community service for 8 hours, or imprisonment of 1 day to 3 days, or both at the discretion of the court.

Third and Subsequent Offenses: Fine of P2,500.00 and imprisonment of 3 days to 7 days, or both at the discretion of the court.

If the violator is a minor, the parent or guardian shall be summoned and required to attend a counseling session facilitated by the Barangay or the Municipal Social Welfare and Development Office (MŞWDO). The minor shall perform community service instead of paying a fine.

Certified Correct:

**SECTION 8. LIABILITY OF BUSINESS OWNERS.**

Owners or operators of groceries, convenience stores, sari-sari stores, carinderias, or other establishments found tolerating or allowing drinking of alcoholic beverages in prohibited areas adjacent to their premises shall be penalized as follows:

First Offense: Written warning and reprimand.

Second Offense: Fine of P1,500.00 and suspension of business permit for three (3) days.

Third Offense: Fine of P3,000.00 and revocation of business permit.

**SECTION 9. ENFORCEMENT.**

The enforcement of this Ordinance shall be the responsibility of:

1. The Philippine National Police (PNP) - San Miguel Municipal Police Station;
2. The Barangay Officials and Barangay Tanods and their assigned agents within their respective jurisdictions;
3. The Municipal Public Order and Safety Office (POSO); and
4. The Municipal Licensing Office, in the case of business establishments.

Apprehending officers shall issue a Citation Ticket or Violation Receipt and refer the offender to the proper authorities for settlement or filing of charges.

**SECTION 10. ADMINISTRATIVE SANCTIONS.** Barangay officials who fail to enforce this Ordinance within their jurisdiction despite verified reports may be subject to administrative investigation in accordance with existing laws.

**SECTION 11. INFORMATION AND EDUCATION CAMPAIGN.** The Municipal Information Office, in coordination with the DILG, Barangays, and other stakeholders, shall conduct a continuing information drive to promote awareness of this Ordinance.

**SECTION 12. SEPARABILITY CLAUSE.** If any provision or part of this Ordinance is declared unconstitutional or invalid, the remaining provisions shall not be affected thereby.

**SECTION 13. REPEALING CLAUSE.** All ordinances, resolutions, executive orders, or regulations inconsistent with this Ordinance are hereby repealed or modified accordingly.

**SECTION 14. EFFECTIVITY.** This Ordinance shall take effect fifteen (15) days after its posting in at least three (3) conspicuous places in the Municipality and after publication in a local newspaper of general circulation.

**DATE APPROVED** - **November 24, 2025**

**I HEREBY CERTIFY** to the correctness of the foregoing resolution.

**ROGELIO D. EMBERSO**  
Local Legislative Staff Assistant II

Attested by:

Concurred:

ROGELIO D. EMBERSO  
LISE III Acting SB Secretary

HON. ESTANISLAO D. BABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

HON. JEROME P. PEÑARANDA  
SB MEMBER

HON. DANILLO L. AUREO  
SB MEMBER

HON. LETECIA G. ESPROS  
SB MEMBER

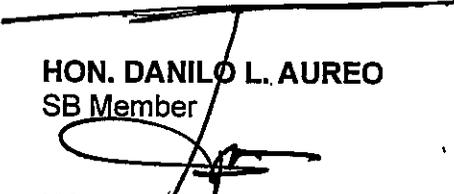
HON. RAUL A. SALAÑO  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

ATTY. NORMAN D. SABBDAO  
Municipal Mayor

Concurred:

  
**HON. JEROME P. PEÑARANDA**  
SB Member

  
**HON. DANILO L. AUREO**  
SB Member

**HON. LETECIA G. ESPOS**  
SB Member

**HON. RAUL A. SALANO**  
SB Member

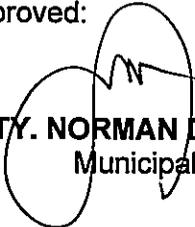
  
**HON. RICHARD LEN B. LAPIDARIO**  
SB Member

  
**HON. SAMUEL P. SALOMON**  
Ex-Officio Member, President  
Liga ng mga Barangay

Attested by:

  
**HON. ESTANISLAO D. SABDAO, JR.**  
Municipal Vice-Mayor/Presiding Officer

Approved:

  
**ATTY. NORMAN D. SABDAO**  
Municipal Mayor

Republic of the Philippines  
**PROVINCE OF LEYTE**  
MUNICIPALITY OF SAN MIGUEL  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

MINUTES OF COMMITTEE HEARING AND PUBLIC CONSULTATION OF PROPOSED (1) ORDINANCE IMPOSING A CURFEW FOR MINORS AND PROHIBITING THE DRINKING OF INTOXICATING LIQUOR, (2) PROPOSED ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES AND PROPOSED, (3) AND ORDINANCE REGULATING EXCESSIVE AND UNNECESSARY NOISE WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.

The committee hearing and public consultation formally start at 9:10 in the morning at ABC Hall on November 6, 2025.

Hon. Richard Len B. Lapidario, presiding officer, gave an introductory message on the proposed ordinances.

The chair presented to the body the three (3) ordinances and was delivered as read per section.

After the presentation, Hon. Lapidario solicited comments, observations, and suggestions from the body.

The following were the concerns raised:

**A. AN ORDINANCE IMPOSING A CURFEW FOR MINORS**

1. Hon. Gavino Valleramos Punong Barangay Bairan, suggested the curfew hours is 9:00 PM to 4 AM.
2. Hon. Melcon Viador, Punong Barangay Bagacay questioned the exception of this proposed ordinance such as: Fiesta and Christmas Day.

Hon. Lapidario, stated the penalties of MINORS are the following:

**1<sup>st</sup> offence** – warning and counselling of minors and parents/guardians.

**2<sup>nd</sup> offence** – community service not less than 4 hours

**3<sup>rd</sup> offence and succeeding offence** – referral to the MSWDO for intervention

Penalties for ADULT/PARENTS/GUARDIANS who neglect the responsibilities are the following:

**1<sup>st</sup> offence** – Warning

**2<sup>nd</sup> offence** – PHP 500.00 or community service

**3<sup>rd</sup> offence** – PHP 1,000 .00 for attendance for mandatory parenting seminar

The implementing agencies are the following:

PNP, Barangay Officials, MSWDO; Incoordination with the municipal council for protection of children.

**B. AN ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES**

The Chair manifested 7 eleven to control their area, hours of drinking have limit. After that Hon. Lapidario, stated the content of this ordinance.

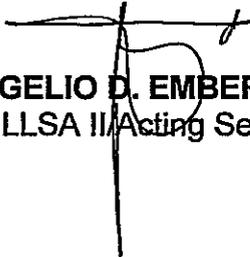
**C. AN ORDINANCE REGULATING EXCESSIVE AND UNNECESSARY NOISE WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.**

Hon. Lapidario stated the overview of this ordinance.

The following were the concerns raised:

1. Hon. Ryan Chua, Punong Barangay Malaguinabot suggested to exclude the public address system.
2. Hon. Benecio Aruta, Punong Barangay Malpag suggested the videoke or karaoke system start from 10:00 PM to 5:00 AM.
3. Nancy Ara suggested that 15 years old below they are not allowed to work that could mean that minors only.

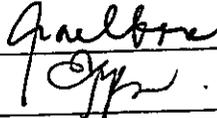
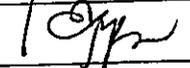
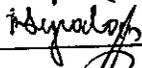
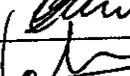
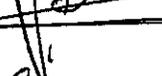
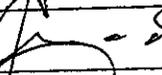
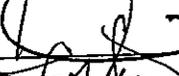
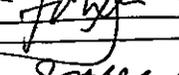
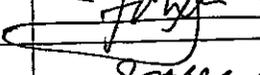
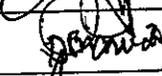
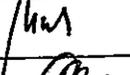
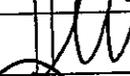
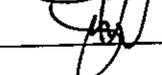
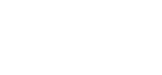
There being no more business to be taken up, the committee hearing, and public consultation was adjourned at 11:20 AM.

  
**ROGELIO D. EMBERSO, JR**  
LLSA II/Acting Secretary

Attested by:

  
**HON. RICHARD LEN B. LAPIDARIO**  
SB Member/Presiding Officer

## ATTENDANCE

NAME	POSITION/DESIGNATION	SIGNATURE
Roselda A. Ellore	Punong Barangay	
EMMA P. BRUN	P. B.	
MARLENE B. SUPBON	P. B.	
LEONARDO T. CADORINA	P. B.	
MARCELO DOMINGUEZ	P. B.	
ERIC C. LESIGUES	Punong BRBY.	
BENECIO P. ARUTA	P. B.	
JOSE MARTIN V. CRANZ/IL	P. B.	
SAMUEL P. SALONAN	ABC	
CARLOS T. VALENTE	PD	
EMM/		
MARLON V. VIADOR	PUNONG MANDANAO/	
JOSE R. Z. LECO	PB	
Tabalanzon Alford	PB -	
SONIA A. BAGO	P. B.	
RYAN C. CANIDO	P. B.	
DANIEL S. JUARDIA	AB	
Norita L. Acabo	P. B.	
SAMUEL P. SALONAN	ABC	
Flora B. Ara	ADAC / POC Focal Person	
ERWIN I. VALERIANO	P. B.	
WILBERTO E. BLONDES	P. B.	
JESSE E. ABC	PUNONG BARANGAY	
CHRISTINA VESIGUES		





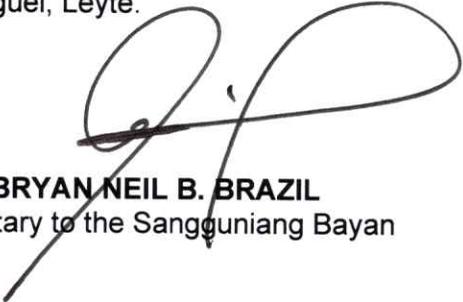
Republic of the Philippines  
**PROVINCE OF LEYTE**  
MUNICIPALITY OF SAN MIGUEL  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

**CERTIFICATE OF POSTING**

**THIS IS TO CERTIFY** that Municipal Ordinance No. 2025-16, Series of 2025 as embodied under Resolution No. 263 Series of 2025 entitled **“AN ORDINANCE PROHIBITING THE DRINKING, CONSUMPTION, AND POSSESSION OF ALCOHOLIC BEVERAGES IN THE PUBLIC PLACES OUTSIDE PRIVATE RESIDENCES WITHIN THE MUNICIPALITY OF SAN MIGUEL, LEYTE PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES”** has been posted in (3) three conspicuous places within the municipality and shall remain posted for (3) three consecutive weeks.

Done this 26<sup>th</sup> day of January, 2026 in San Miguel, Leyte.

  
**BRYAN NEIL B. BRAZIL**  
Secretary to the Sangguniang Bayan