



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

July 13 2026

Item No.: 19

Date: 18 2026 AUG

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: AUG 11 2026
By: 

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2026-05 of the Sangguniang Bayan of Albuera, Leyte.

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

- Ordinance No. 2026-05 entitled: “**Anti-Public Intoxication Ordinance of the Municipality of Albuera, 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)¹ and (4)(v)² of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

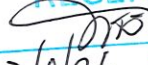
We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and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


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (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;

² (v) Regulate the sale, giving away or dispensing of any intoxicating malt, vino, mixed or fermented liquors at any retail outlet;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: 
Date: 7/8/26 Time: 2:18

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
08 July 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2026-05** of the **Municipality of Albuera, Leyte**, entitled: **An Ordinance banning the drinking of liquors and intoxicating beverages in public areas within the territorial jurisdiction of Albuera, Leyte.**

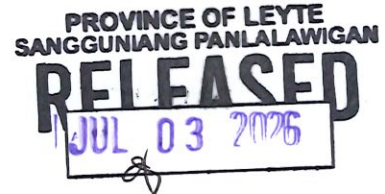

FLORINDA JILL S. UYVICO
Secretary to the Sangguniang



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albura

OFFICE OF THE SANGGUNIANG BAYAN SECRETARIAT

TRANSMITTAL



July 3, 2026

Hon. Leonardo Javier, Jr.
Vice-Governor
Province of Leyte
Palo, Leyte

Thru: Florinda Jill S. Uyvico
Secretary to the Sanggunian
Province of Leyte

Dear Vice Governor Javier:

Respectfully transmitting herein **Municipal Ordinance No. 2026-05**, An Ordinance Banning the Drinking of Liquors and Intoxicating Beverages in Public Areas Within the Territorial Jurisdiction of Albura, Leyte."

Please acknowledge receipt hereof.

Very truly yours,


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuerza

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 50TH REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN
HELD AT THE SESSION HALL ON JUNE 29, 2026

MUNICIPAL ORDINANCE NO. 2026-05

AN ORDINANCE BANNING THE DRINKING OF LIQUORS AND INTOXICATING
BEVERAGES IN PUBLIC AREAS WITHIN THE TERRITORIAL JURISDICTION
OF ALBUERA, LEYTE

Introduced by: HON. ROLANDO M. EBCAS, JR.

Sponsored by: COMMITTEE ON PUBLIC ORDER, SAFETY & HUMAN RIGHTS

- HON. JOJE B. YBAÑEZ
- HON. ROBERTO C. COLASITO

WHEREAS, Section 16 of the Local Government Code of 1991 states that “every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall maintain peace and order, protect life, liberty and property, promote the general welfare and preserve the comfort and convenience of their inhabitants;

WHEREAS, one of the objectives of the Safer Cities is to make communities safer, wherein people may freely go about their daily lives without fear of being harmed;

WHEREAS, the Sangguniang Bayan recognizes the importance of keeping the general public safe from harm through the enactment of measures aimed at curbing criminality, disorder, and immorality;

WHEREAS, it is observed that the consumption of alcoholic beverages in parks, streets, sidewalks and other public places contributes to public disturbances, accidents, and unruly behavior;

WHEREAS, it is recognized that communities become ultimately safer when public roads are clear of intoxicated persons, and disorderly gatherings causing disturbance to public order;

NOW THEREFORE, BE IT ENACTED AS IT IS HEREBY ENACTED by the Sangguniang Bayan of Albuerza, Leyte, by virtue of the powers vested in it by law, in session assembled, that:

SECTION 1. SHORT TITLE OF THE ORDINANCE. This ordinance shall be known as the **Anti-Public Intoxication Ordinance of the Municipality of Albuerza, Leyte.**

SECTION 2. DECLARATION OF POLICY. It is the policy of the Municipality to promote public order, safety, health, and morals; to minimize public disturbances, nuisances,

ALBERTO M. SUMALJAG

ROBERTO C. COLASITO

ROMEO M. JUNCO

ANDRES C. TULO

DELEO M. BAPTISTIS

BERNARD JOEY D. MESTULA

PAMELA M. BOHOLST

ROLAN E. ESPINOSA

MARIEL E. MARINAY

SARL KEVIN E. BAPTISTIS

ROLANDO M. EBCAS, JR.

JOJE B. YBAÑEZ

RODOLFO S. BILBAO, JR.

and alcohol-related incidents; and to protect the general welfare of its residents by regulating the consumption of liquor and intoxicating beverages in public places.

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms shall be defined as follows:

- **"Liquor and Intoxicating Beverages"** — includes any alcoholic beverage with an alcohol content of 0.5% or more by volume, such as spirits, wine, beer, and any other drink capable of producing intoxication.
- **"Public Areas"** — refers to any place open to the general public or visible to the public, including but not limited to streets, sidewalks, parks, plazas, public markets, transportation terminals, school premises, places of worship, government buildings and facilities, beaches, recreational areas, and other similar locations within the territorial jurisdiction of the Municipality. This includes areas within private establishments that are open to the public (e.g., open-air restaurants without proper enclosure).
- **"Drinking" or "Consumption"** — includes the act of ingesting, sipping, or holding an open container of liquor or intoxicating beverage with the apparent intent to consume.

SECTION 4. COVERAGE. This Ordinance shall be applicable to all persons within the territorial jurisdiction of the Municipality of Albueva, Leyte.

SECTION 5. PROHIBITED ACTS. It shall be unlawful for any person to drink, consume, or possess an open container of liquor or any intoxicating beverage in any public area such as public streets, roads, sidewalks, and similar public places except when explicitly authorized by the Mayor or his duly authorized representative.

SECTION 6. EXCEPTIONS. The prohibition in Section 4 shall not apply to the following:

1. Licensed establishments (e.g., restaurants, bars, hotels) duly authorized by the Municipality to serve alcoholic beverages within their permitted premises, provided consumption occurs within enclosed or properly designated private areas.
2. Private functions or gatherings held in private residences or duly permitted private venues, where the area is not accessible to the general public.
3. Religious, cultural, or traditional ceremonies authorized by the Municipality such as Fiestas wherein vendors selling goods, food, or beverages along streets, roadsides, and road shoulders shall be properly regulated to prevent obstruction to traffic and ensure public safety. In such cases, there shall be designated a specific area identified by the barangay or local government unit for them to sell their goods without obstructing the flow of traffic and ensuring public order and safety.
4. Medical use of alcohol as prescribed by a licensed physician.
5. Other activities specifically exempted by a valid permit issued by the Mayor or the designated authority.

SECTION 7. PENALTIES. The following penalties shall be imposed for violation of this Ordinance:

VIOLATION	PENALTY
First (1st)	Php 500.00 Fine
Second (2nd)	Php 1,000.00 Fine
Third (3rd) and Succeeding Violations	Php 2,500.00 Fine or imprisonment for a period not exceeding six (6) months, or both at the discretion of the court

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ANDRES C. TUDIO

BERNARD JOEY E. MESTULA

PAMELA M. BOHOLST

ROLAN E. ESPINOSA

MARIEL E. MARINAY

CARL KEVIN E. BATISTIS

ROLANDO M. EBCAS, JR.

JOE B. YBANEZ

RODOLFO S. BILBAO, JR.

Confiscation of the liquor or intoxicating beverage shall be imposed in addition to the above penalties.

Business establishments found allowing or tolerating violations on their premises may face suspension or revocation of their business permits.

SECTION 8. ENFORCEMENT. The Philippine National Police (PNP), Barangay Officials, and other deputized law enforcement agencies shall enforce this Ordinance. The Municipal Mayor shall issue the necessary implementing rules and regulations.

SECTION 9. REPEALING CLAUSE. All ordinances or resolutions or parts thereof inconsistent therewith or parts hereof are hereby deemed repealed, amended or modified accordingly.

SECTION 10. EFFECTIVITY CLAUSE. This Ordinance, upon its approval shall take effect immediately after ten (10) days from posting in a bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places and from publication in a newspaper of general circulation.

APPROVED.

ENACTED BY THE 12th SANGGUNIANG BAYAN OF ALBUERA, LEYTE DURING ITS 50th REGULAR SESSION HELD ON JUNE 29, 2026 AT THE SANGGUNIANG BAYAN SESSION HALL, ALBUERA, LEYTE.

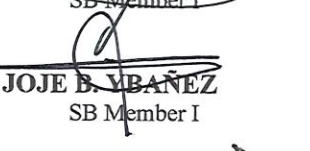
ATTESTED AND CERTIFIED TO BE DULY ADOPTED:


CARL KEVIN E. BATISTIS

SB Member I


ROLANDO M. EBCAS, JR.

SB Member I


JOJE B. YBAÑEZ

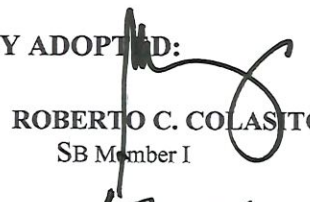
SB Member I


RODOLFO S. BILBAO, JR.

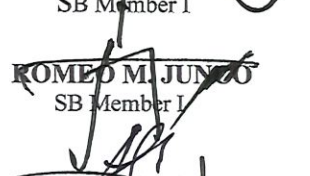
SB Member I


ALBERTO C. SUMALJAG

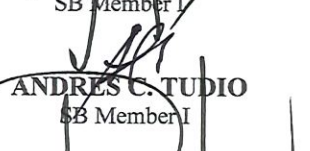
SB Member I


ROBERTO C. COLASITO

SB Member I


ROMEO M. JUNCO

SB Member I


ANDRES C. TUDIO

SB Member I

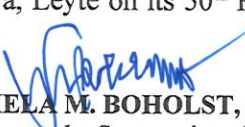

DELA CRUZ

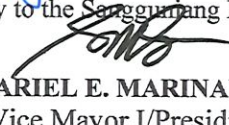
LnB President, Ex-Officio Member


BERNARD JOEY D. MESTULA

PPSK President/Ex-Officio Member

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the 12TH Sangguniang Bayan of Albueria, Leyte on its 50th Regular Session on June 29, 2026 at the Sangguniang Bayan Session Hall.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


MARIEL E. MARINAY
Municipal Vice Mayor I/Presiding Officer

APPROVED:


ROLAN E. ESPINOSA

Municipal Mayor

Date: JUL 01 2026



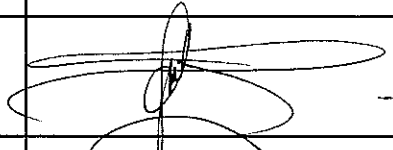
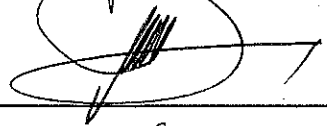
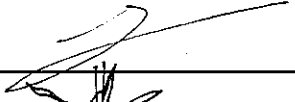
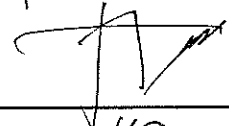
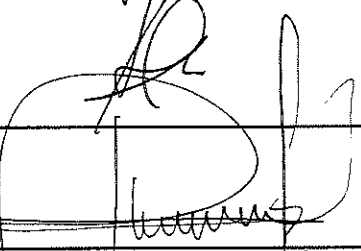
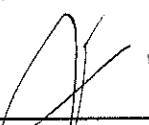
Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albura

OFFICE OF THE SANGGUNANG BAYAN
ATTENDANCE SHEET

50th REGULAR SESSION
of the 12th Sangguniang Bayan

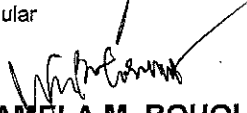
SB SESSION HALL
Venue

June 29, 2026

No.	Name & Designation	Signature
1	Hon. MARIEL E. MARINAY Mun. Vice Mayor / Presiding Officer	
2	Hon. CARL KEVIN E. BATISTIS SB Member	
3	Hon. ROLANDO M. EBCAS JR. SB Member	
4	Hon. JOJE B. YBAÑEZ SB Member	
5	Hon. RODOLFO S. BILBAO JR. SB Member	
6	Hon. ALBERTO C. SUMALJAG SB Member	
7	Hon. ROBERTO C. COLASITO SB Member	
8	Hon. ROMEO M. JUNCO SB Member	
9	Hon. ANDRES C. TUDIO SB Member	
10	Hon. DELIA E. BATISTIS ABC President, Ex-Officio	
11	Hon. BERNARD JOEY D. MESTULA SK Federation President, Ex-Officio	

CERTIFICATION

I hereby certify that those who have affixed their signatures above, have actually attended the 50th Regular Session of the 12th Sangguniang Bayan of Albura, Leyte, held at the Tabgas Session Hall on June 29, 2026


PAMELA M. BOHOLST
Secretary to the Sanggunian Bayan



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albura

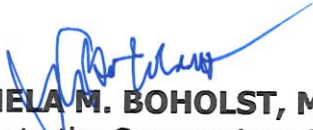
OFFICE OF THE SANGGUNIAN BAYAN

CERTIFICATION

TO THE CONCERNED:

THIS IS TO CERTIFY that **Municipal Ordinance No. 2026-05, "An Ordinance Banning the Drinking of Liquors and Intoxicating Beverages in Public Areas Within the Territorial Jurisdiction of Albura, Leyte,"** has been posted in the bulletin board of the Sangguniang Bayan of Albura, Leyte on July 2, 2026 and shall remain posted until a period of two (2) consecutive weeks thereof.

ISSUED this 2nd day of July 2026 at Albura, Leyte, Philippines.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I