

AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. CO NO 11-2015 OR "AN ORDINANCE AMENDING SECTION 4C.02 UP TO RC.04 CHAPTER IV OF MUNICIPAL ORDINANCE NO.4-I, SERIES OF 2008 OTHERWISE KNOWN AS THE "GENERAL ORDINANCES CODE OF BACOR" REGARDING THE PROHIBITION AGAINST THE SALE OF WINES, LIQUORS, AND SIMILAR PRODUCTS TO PERSONS UNDER EIGHTEEN (18) YEARS OLD."

WHEREAS, Section 16 of R.A.No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 11-2015 entitled, "An Ordinance Amending Section 4c.02 up to Rc.04 Chapter IV of Municipal Ordinance No.4-I, Series of 2008 otherwise known as the "General Ordinances Code Of Bacoor" regarding the Prohibition Against the Sale of Wines, Liquors, and Similar Products to Persons Under Eighteen (18) Years Old.", with the intent to promote the health and safety of all residents of the City of Bacoor to protect the youth from harmful substances and to prevent access by minors to harmful, intoxicating, and addictive substances;

WHEREAS, the Office of the City Mayor, in coordination with the concerned departments/agencies, issued the above-mentioned Implementing Rules and Regulations that shall govern the City Ordinance No.CO11-2015 or "An Ordinance Amending Section 4c.02 up to Rc.04 Chapter IV of Municipal Ordinance No.4-I, Series of 2008 otherwise known as the "General Ordinances Code Of Bacoor" regarding the Prohibition Against the Sale of Wines, Liquors, and Similar Products to Persons Under Eighteen (18) Years Old.";

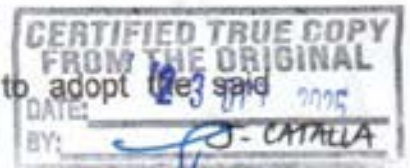
NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite by virtue of the powers vested in me by law, do hereby order for the adoption and implementation of the Implementing Rules and Regulations of City Ordinance No. 11-2015 herein attached.

Section 1.Implementing Rules and Regulations (IRR).

Attached herein is the Implementing Rules and Regulations of City Ordinance No. 11-2015 which shall form part of this Executive Order. This shall be known as the "Implementing Rules and Regulations of CO No.11-2015."



All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly.



Strict compliance and observance of all city government officials and employees to this IRR is hereby ordered.

Section 2. Repealing Clause.

All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked or amended accordingly.

Section 3. Separability Clause.

In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause.

This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked or amended accordingly.

SO ORDERED.

Issued this 5th day of May 2023 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

cc:
Sangguniang Panlungsod
Business Permit and Licensing Office (BPLO)
City Administrator
And all City Government offices/departments/units concerned



EO No. 44-2023

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THE IMPLEMENTING RULES AND REGULATIONS
OF CITY ORDINANCE NO. CO 11-2015.



OR

"AN ORDINANCE AMENDING SECTION 4C.02 UP TO 3C.04 CHAPTER IV OF MUNICIPAL ORDINANCE NO. 4-I, SERIES OF 2008 OTHERWISE KNOWN AS THE "THE GENERAL ORDINANCES CODE OF BACOR" REGARDING THE PROHIBITION AGAINST THE SALE OF WINES, LIQUOURS, AND SIMILAR PRODUCTS TO PERSONS UNDER EIGHTEEN (18) YEARS OLD."

RULE 1 – GENERAL PROVISIONS

Section 1. Title.

These Implementing Rules and Regulations shall be known and be cited as the "Implementing Rules and Regulations of City Ordinance No. CO 11-2015 "

Section 2. Purpose.

These Implementing Rules and Regulations are promulgated to prescribe a framework for the effective implementation and enforcement of City Ordinance No. CO 11-2015.

Section 3. Construction.

The Implementing Rules and Regulations shall be construed and applied in compliance with and in furtherance of the policies of the above Ordinance.

RULE 2 – DECLARATION OF POLICY.

Section 4. It shall be the policy of the City of Bacoor:

1. To promote the health and safety of all residents of the City of Bacoor;
2. To protect the youth of the City of Bacoor from harmful substances;
3. To prevent access by minors to harmful, intoxicating, and addictive substances;

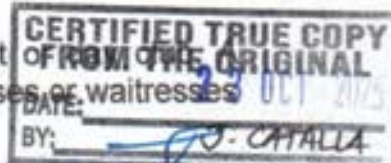
RULE 3 – DEFINITION OF TERMS.

Section 5. The following terms shall be defined as follows:

Bar – includes beer gardens or places where intoxicating and fermented liquours or malt are sold, disposed of, given away, or served to customers for compensation, even with food where the services of hostesses or waitresses are employed and where customers are entertained by occasional dancing to music not rendered by a regular dance orchestra or musicians hired for the purpose,



otherwise the place shall be classified as a dance hall, night "cocktail lounge" is considered a bar even if there are no hostesses or waitresses to entertain customers.



Cigarette – a small cylinder of finely cut tobacco leaves rolled in thin paper for smoking. The definition shall include e-cigarettes or "vape" or any device used to inhale vapor through the mouth from a usually battery-operated electronic device (such as an electronic cigarette) that heats up and vaporizes a liquid or solid

Food Establishment – an establishment where food or drinks are manufactured, processed, stored, sold, served, including those that are located in vessels.

Food Manufacturing Establishment – places used for the business of producing, packing, or repacking of various food products manually, mechanically, or a combination of both. The term shall also include slaughter houses.

Intoxicating Drinks or Beverages – refers to liquors, wines, and other distilled spirits other than fermented liquors such as "Beer", "Tuba" and similar domestic fermented beverages.

School – a public or private educational institution undertaking educational operations with an organized group of pupils or students pursuing defined studies at defined levels, receiving instructions from teachers, usually located in a building or group of buildings in a particular site specifically intended for educational purposes.

Solvent – a common term liquid substance used in dry cleaning process in place of water, it may also refer to liquid substances that bind or emulsify other chemicals substances commonly used in paints, sealants, cleaning agents, or the like.

RULE 4 – GUIDELINES.

Section 6. Cigarette Smoking Ban in All Schools, Food Establishments, Food Manufacturing Establishments, Public Markets, and Commercial Malls.

1. The smoking or chewing of cigarettes and other tobacco products or "vaping" shall be strictly prohibited inside all schools, food establishments, food manufacturing establishments, public markets, places of worship, and commercial malls operating within the City of Bacoor.
2. The smoking or chewing of cigarettes and other tobacco products or "vaping" may only be allowed beyond ten (10) meters outside of the gates or entrances of the schools, food establishments, food manufacturing establishments, public markets, places of worship or commercial malls or within designated smoking lounges located inside the said buildings.

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3. In no instance shall minors be allowed to smoke or chew cigarettes or other tobacco products or "vape" anywhere within or outside the said buildings or places.
4. The sale of any tobacco or cigarette product, "vape" or e-cigarette, intoxicating beverages, or product – including but not limited to beer, wine, whiskey, gin – and/or any product with solvents such as but not limited to rugby, acetone, plastic adhesives, and/or roof sealant to any minor or to any mentally incapacitated person shall be absolutely prohibited in the City of Bacoor.
5. Any adult who requires, authorizes, or directs a minor or mentally incapacitated person to buy or sell any tobacco or cigarette product, intoxicating beverages, or product, "vape" or e-cigarette – including but not limited to beer, wine, whisky, gin, – and/or any product with solvents such as but not limited to rugby, acetone, and/or roof sealant within the City of Bacoor shall be held liable.

RULE 5 – PENALTIES.

Section 7. The following shall be the penalties for the violation of the Ordinance

1. Any person who shall violate Section 4C.02 shall be held liable to an administrative fine of ONE THOUSAND FIVEHUNDRED PESOS (PHP 1,500.00). If the offender is a minor or mentally incapacitated person his/her parents/guardians shall pay the administrative fine mentioned above.
2. Owners/Managers/Supervisors on duty of any establishment that violate Section 4C04. Of the Ordinance shall be administratively penalized as follows:
 - a. First Offense – PHP 1,000.00 fine plus mandatory attendance to a one (1) day seminar on the hazards to minors of cigarette smoking, the imbibing of intoxicating beverages and products, and the inhalation of solvents to be conducted by the City Health Officer or by his/her authorized representative;
 - b. Second Offense – PHP 2,000.00 fine plus five (5) day suspension of business permit and the closure of the establishment for the same number of days;
 - c. Third Offense – PHP5,000.00 fine plus ten (10) day suspension of business permit and the closure of the establishment for the same number of days.
3. Any adult who violates Section 4C.05 of the Ordinance shall be administratively fined, or imprisoned upon conviction by a proper court:
 - a. First Offense – PHP 1,000.00 fine plus mandatory attendance to a one (1) day seminar on the hazards to minors of cigarette smoking, the imbibing of intoxicating beverages and products, and the inhalation of solvents to be conducted by the City Health Officer or by his/her authorized representative;



- b. Second Offense – PHP 2,000.00 fine plus five (5) day imprisonment;
- c. Third Offense – PHP5,000.00 fine plus ten (10) day imprisonment.

RULE 6 – MISCELLANEOUS PROVISIONS.

Section 8. Separability.

If any provision of this IRR shall be declared invalid or unconstitutional by a court or proper jurisdiction it shall not affect all other provisions of this IRR not so declared invalid or unconstitutional.

Section 9. Effectivity.

This IRR shall take effect immediately.

