



Republic of the Philippines  
PROVINCE OF PANGASINAN  
*Lingayen*  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY**

# CERTIFICATION

**TO WHOM IT MAY CONCERN:**

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on April 3, 2017 at Lingayen, Pangasinan, the following provincial ordinance was approved:*

Authored by SP Member Jeremy Agerico B. Rosario

**PROVINCIAL ORDINANCE NO. 208-2017**

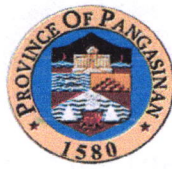
**AN ORDINANCE STRICTLY PROHIBITING ALCOHOLIC BEVERAGES OR INTOXICATING LIQUORS OF ANY KIND WITHIN THE CAPITOL COMPOUND, INCLUDING THE BEACHFRONT, AND OTHER PUBLIC AREAS OWNED AND BUILT BY THE PROVINCIAL GOVERNMENT AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES**

***EXPLANATORY NOTES***

**WHEREAS**, the Provincial Capitol is created for the administration of a civil state promoting life, liberty and the pursuit of happiness, thereby making it as a sacred historical institution and the seat of the government where authority is exercised. Hence, it is proper to observe peace and order at all times and such be accorded with the highest form of respect, by government employees and visitors alike;

**WHEREAS**, oftentimes, the cause of troubles, disagreements and even violence is alcohol intoxication or drunkenness, which usually impairs a person's mental and physical abilities resulting in an unruly and risky behavior;

**WHEREAS**, further, based on statistics, most reported cases of accidental drowning leading to death of beach goers, are those who were found to be under the influence of alcoholic beverages or intoxicating liquors;



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**WHEREAS**, during the implementation of Coastal Clean-up Drive, empty bottles of liquor, canisters, and littered pieces of bottle fragments were left on the shoreline, which may harm or cause bodily injury among beach goers, if not properly disposed of;

**WHEREAS**, Section 468 of the Local Government Code of 1991 or Republic Act No. 7160, provides that the Sangguniang Panlalawigan, as the legislative body of the Province, shall enact ordinances for the general welfare of the Province and its inhabitants, and shall maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot and violence;

**WHEREAS**, it is also the mandate of the Sanggunian to protect the environment from acts which endanger the same, resulting in pollution or ecological imbalance;

**WHEREAS**, the Local Government Code provides for the enactment of ordinances intended to prevent and suppress habitual drunkenness in public, and such other activities inimical to the welfare and morals of the inhabitants of the Province;

**WHEREAS**, the Local Government Code under Section 468 (a) (1) (iii) also empowers the Sangguniang Panlalawigan to impose a fine not exceeding Five Thousand Pesos (P5,000.00) or imprisonment not exceeding one (1) year, or both, in the discretion of the court, for violation of a provincial ordinance;

**NOW THEREFORE**, on motion of SP Member Jeremy Agerico B. Rosario, duly seconded -

*Be it enacted by the Sangguniang Panlalawigan in session assembled that:*

**SECTION 1. TITLE.**

This Ordinance shall be known as “**AN ORDINANCE STRICTLY PROHIBITING ALCOHOLIC BEVERAGES OR INTOXICATING LIQUORS OF ANY KIND WITHIN THE CAPITOL COMPOUND, INCLUDING THE BEACHFRONT, AND OTHER PUBLIC AREAS OWNED AND BUILT BY THE PROVINCIAL GOVERNMENT AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES**”.



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### SECTION 2. COVERAGE.

This Ordinance shall prohibit sale, consumption, including bringing of alcoholic beverages or intoxicating liquors within public/private establishments within the Provincial Capitol Compound and its immediate environs, to include the premises of Maramba Boulevard, Provincial Capitol Park, Veterans Park, Capitol Beachfront, Narciso Ramos Sports and Civic Center, PESO Compound, DILG Building, all Provincial, District and Community Hospitals, Breeding Stations, Agricultural Centers, all other interconnecting ingress and egress access roads of the Provincial Capitol (which includes the stretch of Alvear East, all other open and public places not specifically mentioned herein, but owned or built by the Provincial Government of Pangasinan.

### SECTION 3. EXCEPTIONS TO THE COVERAGE.

- a. The prohibition does not apply to premises of the Capitol Resort Hotel and the Urduja Residence. However, it is still mandated that all government officials, employees, guests and visitors of the said hotel must continue to observe proper decorum at all times.
- b. The prohibition imposed on Narciso Ramos Sports and Civic Center does not extend to the two (2) eateries/restaurants located within its premises, namely: 1) Chatanoga Grill and Resto Bar, and 2) that occupied by Ricafort Tee Catering.
- c. Special occasions or festivities that shall be authorized or permitted by the Provincial Government.
- d. Special events and occasions that are sponsored, co-project and co-hosted by the Provincial Government.
- e. Persons, entities, business establishments who secured a permit from the Provincial Government for the conduct of special events.

### SECTION 4. DEFINITION OF TERMS.

- a. Alcoholic Beverage – means the intoxicating agent in beverage, including but not limited to malt beverages such as beer, wine and hard/intoxicating liquor.



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- b. Drunkenness/Intoxication – the state of being intoxicated by consumption of alcoholic beverages to a degree that mental and physical faculties are noticeably impaired.
- c. Liquor – shall refer to all alcoholic or intoxicating beverages such as beer, whiskey, brandy, gin, rum, vodka, and other kinds of foreign wines and local drinks such as basi, tapey, tuba, lambanog, meding, and other intoxicating concoctions.

**SECTION 5. PROHIBITED ACTS.**

- a. Ban on alcoholic beverages or intoxicating liquors within Capitol Compound at all times of the day, seven days a week. Alcoholic beverages or intoxicating liquors is prohibited within the Capitol Compound and provincial government offices at all times, among government officials and employees and visitors, in order to avoid disruption of the public service.
- b. Right to refuse entry. Public offices in the Provincial Capitol shall reserve the right to refuse entry of visitors or callers who appear to be inebriated and/or have alcoholic scent of breath and displaying disorderly/unruly conduct.
- f. Ban on alcoholic beverages or intoxicating liquors in commercial stalls. Consumption, distribution and sale of alcoholic beverages or intoxicating liquors in commercial stalls, located within the Capitol Compound, and along the Capitol Beachfront, owned by the Provincial Government, is strictly prohibited. Violation of this condition may cause the revocation of the stallholder's right to occupy the premises, and the contract of lease, without need of court action.
- g. Ban on alcoholic beverages or intoxicating liquors in Capitol Compound, including beachfront and in vehicles. Drinking alcoholic beverages or intoxicating liquors in Capitol Compound, including beachfront, is strictly prohibited. This prohibition likewise applies to drinking inside vehicles while the same, either moving or parked, are within the said public places.



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**SECTION 6. SPECIAL PERMIT.**

The Provincial Government is hereby authorized to issue a Special Permit to any person or entity that shall conduct special events within the Capitol compound, and other public areas owned and built by the Provincial Government, such as, but not limited to:

- a. Christmas Party
- b. Valentines Party
- c. Reunions
- d. Weddings
- e. Birthdays
- f. Wakes and Funerals
- g. Fiesta Celebrations

**SECTION 7. FINES AND PENALTIES.**

Any private person who is found violating any of the provisions of the subject Ordinance shall be penalized as follows:

|                |   |                   |
|----------------|---|-------------------|
| First Offense  | – | fine of P500.00   |
| Second Offense | – | fine of P1,000.00 |

Third and succeeding offense shall be penalized by a fine not exceeding One Thousand Five Hundred Pesos (P1,500.00) or imprisonment not exceeding one (1) year, or both, at the discretion of the court.

Within seventy-two (72) hours from apprehension, the violator may select, in lieu of prosecution, to voluntarily pay the fine corresponding to the violation/s committed at the Provincial Treasurer's Office, which shall issue the Official Receipt therefor. The violator may also opt to perform community service in lieu of prosecution, in the following manner:

|                |   |                                   |
|----------------|---|-----------------------------------|
| First Offense  | – | Three (3) hours community service |
| Second Offense | – | Seven (7) hours community service |

The concerned office of the Provincial Government shall keep a record of the details of the violations committed, including the names/identities of the violators.



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Any government employee who is found violating any of the provisions of the subject ordinance during office hours shall be dealt with in accordance with the Revised Rules on Administrative Cases in the Civil Service.

In the case of minor offender/s caught violating any of the provisions of the subject ordinance, he/she shall be apprehended and brought to the proper authorities and their parents shall be notified and summoned immediately for a counseling session on orderliness, sanitation and self-discipline and the need to strictly comply with the provisions of the ordinance. The minor shall be released only upon execution of an undertaking by the parents concerned to comply with the provisions of the subject ordinance.

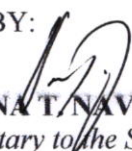
**SECTION 8. SEPARABILITY CLAUSE.**

If any part or provision of this Ordinance is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in force and effect.


**SECTION 9. EFFECTIVITY CLAUSE.**

This Ordinance shall take effect upon approval and after publication in a newspaper of general circulation.

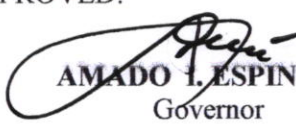
CERTIFIED BY:

  
**VERNA T. NAVA-PEREZ**  
*Secretary to the Sanggunian*

ATTESTED:

  
**JOSE FERDINAND Z. CALIMLIM, JR.**  
Vice Governor  
*(Presiding Officer)*

APPROVED:

  
**AMADO I. ESPINO, III**  
Governor