



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, Oriental Mindoro, 5214

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON AUGUST 1, 2005 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

Hon. Salvador A. Magalay	-	Presiding Officer
Hon. Guillermo G. Salas, Jr.	-	Sang. Bayan Member
Hon. Gabriel C. Hermitao	-	-do-
Hon. Eiren S. Acosta	-	-do-
Hon. Rosalinda M. Cabagay	-	-do-
Hon. Leonardo A. Andallon	-	-do-
Hon. Sanny O. Madra	-	-do-
Hon. Roberto A. Hilario	-	-do-
Hon. Eric Michael R. Pajotal	-	-do-
Hon. Juan L. Salas, Sr.	-	Pres., Liga ng mga Brgy.
Hon. Joseph Rey S. Amparo	-	SK Fed. President

ABSENT: None

X-----X

ORDINANCE NO. 05-08-051

REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF ENTERTAINMENT OR AMUSEMENT FACILITIES INCLUDING THEATRICAL PERFORMANCES, CIRCUSES, BILLIARD POOLS, PUBLIC DANCE HALLS, SAUNA BATH, MASSAGE PARLORS, CINEMA HOUSES, **VIDEO MOVIE HOUSES**, VIDEOKE BARS, DISCO HOUSES, CLUB HOUSES, CAFETERIAS, SNACK HOUSES AND BARS UTILIZING BETA, VHS AND LASER DISC PLAYERS OR SIMILAR APPARATUS AND OTHER SHOW HOUSES WHICH ARE OPEN FOR PUBLIC SERVICE FOR A FEE

Sponsors: Councilors Guillermo G. Salas, Jr and Roberto A. Hilario
Chairmen: Committee on Peace & Order and Public Safety
Committee on Good Government

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. STATEMENT OF POLICY. This ordinance is hereby enacted in order to regulate such events or activities for amusements or entertainment particularly those which tends to disturb the community or annoy the inhabitants or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect the social or moral welfare of the community.

SEC. 2-A. DEFINITION OF TERMS. When used in this Ordinance the terms:

[Handwritten signatures and initials]

- a. **Amusement** – is a pleasurable diversion and entertainment. It is synonymous to relaxation, avocation, pastime, or fun;
- b. **Amusement places** – includes theaters, circuses, billiard potts, public dance halls, sauna bath, massage parlors, cinema houses, **video movie houses**, videoke bars, disco houses, club houses, cafeterias, snack houses and other places of amusement where one seeks admission to entertain oneself by seeing or viewing the show or performances;
- c. **Businesses** – means trade or commercial activity regularly engaged in as means of livelihood or with a view to profit;
- d. **Corporation** – includes partnerships, no matter how created or organized, joint-stock companies, joint accounts, associations or insurance companies but does not include general professional partnerships and a joint venture or consortium formed for the purpose of undertaking construction projects or engaging in petroleum, coal geothermal and other energy operations pursuant to an operating or consortium agreement under a service contract with the government. General professional partnerships are partnerships formed by persons for the sole purpose of exercising their common profession, no part of the income of which is derived from engaging in any trade or business
- e. **Operator** – includes the owner, manager, administrator or any other person who operates or is responsible for the operation of a business establishment or undertaking;
- f. **Walter/Waitresses** – any persons employed to serve food or drinks especially who waits on tables in a restaurants or any similar places;
- g. **Hostess/GRO** – a woman who welcomes and assist clients in a restaurants or any other similar establishments such as bars, videoke bars, karaoke bars, etc.;
- h. **Persons** – means every natural or juridical being susceptible of rights and obligations or of being the subject of legal relations;
- i. **Minors** – those persons are under 18 years old for female and 21 years old for male as provided for under our present Civil Code;
- j. **Cabaret or dance hall** – includes any place or establishments where dancing is permitted to the public in consideration of any admission, entrance or any other fee paid on, before or after the dancing, and where professional hostesses or dancers are employed;
- k. **Bars** – include beer gardens or any place where intoxicating and fermented liquors or malts are sold, disposed of, or given away for compensation, even without foods, where the services of hostesses and/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 considered and classified as a dance hall or night club. A "cocktail lounge" is considered a "bar" even if there is not hostess or waitress to entertain customers.

Handwritten signatures and initials:
JAN, Jy. gca, SA, Pinc, Pinc, SA, Pinc, Pinc

1. **Night club or day club** – includes places frequented at night or daytime, as the case may be, where foods, wines and drinks are served and music is furnished by the operator and the persons are allowed to dance with their own partners or with hostesses furnished by the management,

B. WORDS AND PHRASES NOT HEREIN EXPRESSLY DEFINES.

Words and phrases invalid in this Ordinance not herein specifically defined shall have the same definitions in RA 7160 and its Implementing Rules and Regulations as well as in other applicable laws.

SEC. 3. Inconstructing the provisions of this Ordinance, the following rules of construction shall be observed unless found to be inconsistent with the manifest intents of the provisions or when applied they would lead to absurd or highly improbable result: (a) **General rule.** All words and phrases shall be construed and understood accordingly to the common or approved usage of the language, but technical words and phrases and such other words in this ordinance which may have acquired a peculiar or appropriate meaning shall be construed understood according to such technical or peculiar or appropriate meaning

SEC. 4. Regulated Acts. - No persons shall serve or allow the serving of any intoxicating drinks or beverages, other than fermented liquors or beers to customers in any business establishments, unless the said establishment or place is duly licensed as a "bar" or "cocktail lounge".

- A. It shall be unlawful for any person covered under paragraph A of this Section to serve intoxicating liquors or beverages beyond time limit selforth under Ordinance No. 02-04-026, which is 11.30 p.m. which shall also include the prohibition against the singing or playing of loudly music in order to protect the social and moral welfare of the community.
- B. **No business** establishments or amusement facilities shall be allowed within the **200 meter radius** away from certain public places such as places of worships, markets, **schools**, hospitals and clinics, orphanage or to any thickly populated areas without prejudice to the provisions of the existing zoning ordinance and any applicable laws.
- C. it shall be unlawful for any person to carry deadly weapons inside the premises of the subject establishments and the owner is hereby mandated to take the responsibility of securing the safety and order of this establishment.
- D. No operator or duly licensed bar or cocktail lounge shall serve or allowed to be served inside the establishment or parts thereof, any intoxicating drinks or beverages to persons below 18 years old.

SEC. 5. Administrative Provisions. A Application for Mayors Permit.

An application for a Mayors Permit shall be filed for the Office of the Municipal Mayor. The form for the purpose shall be issued for the same Office and shall selforth the requisite informations including the name and residents of the applicants the description of the business or undertaking that is to be committed and such other data of pertinent informations as may be required.

Handwritten signatures and initials:
ju
Jry. Jln
Pnc
SA P. SW
AA RAH.
of

Any false statement made by applicants shall constitute has sufficient grounds for denying or revoking the permit issued by the Mayor and the applicant or license may further be prescribed in accordance with penalties provided in this ordinance or other applicable laws.

A. Mayors Permit shall be refused to any persons:

1. Who previously violated any ordinance or regulations governing permit granted;
2. Whose business establishment or undertaking does not conform within the limits provided under this Ordinance, zoning regulation and safety, health and other requirements of the Municipality;
3. Who has unsettled tax obligations, debts or other liabilities to the government; and
4. Who is disqualified under any provision of law or ordinance to establish or operate the business being applied for.

B. Issuance of permit, contents of permit. Upon approval of the application for a Mayors Permit, two copies of the application duly signed by the Municipal Mayor shall be returned to the applicant. One copy shall be presented to the Municipal Treasurer as basis for the collection of the Mayors Permit fee and the corresponding business tax.

C. The employees are likewise required to secure the necessary permits upon securing certification of good health and Police Clearance and such other necessary document that shall be required. He or she should likewise pay the necessary fees and charges as required by New Revenue Code.

SEC. 6. SPECIAL TRANSITORY PROVISIONS. Special Oversight Committee is hereby created composed of the Municipal Mayor as Chairman, Municipal Vice Mayor as Co-chairman, the Chief of Police, SB Chairman on Committee on Peace and Order and Public Safety, SB Chairman on Committee on Health and MHO as Members, which shall plan and oversee, promulgate the necessary implement rules and regulations of this ordinance.

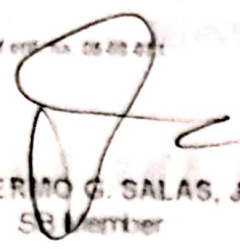
SEC. 7. PENALTY.- Any person violating this ordinance shall suffer the penalty of six (6) months imprisonment or shall be fined by an amount of Two Thousand Five Hundred Pesos (Php2,500.00) or both such fine and imprisonment at the discretion of the Court;

SEC. 8. REPEALING CLAUSE. - All ordinance inconsistent hereof are hereby repelled, amended or modified accordingly.


SEC. 9. EFFECTIVITY. - This ordinance shall take effect immediately

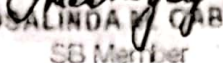
ENACTED this 1st day of August, 2005, Bulalacao, Oriental Mindoro

[Handwritten signatures and initials]
SA BAH.
Puc


GUILLERMO G. SALAS, JR.
SB Member


GABRIEL L. HERMILAO
SB Member


EFREN S. ACOSTA
SB Member

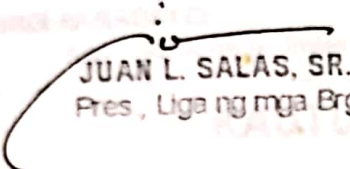

ROSALINDA M. CABAGAY
SB Member



LEONARDO A. ANDALLON
SB Member


SAMIT O. MADRA
SB Member

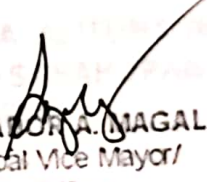

ROBERTO A. HILARIO
SB Member


ERIC MICHAEL R. PAJOTAL
SB Member


JUAN L. SALAS, SR.
Pres. Liga ng mga Brgy.

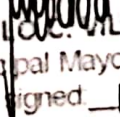

JOSEPH REY S. AMPARO
SK Federation President

CERTIFIED TRUE AND CORRECT:


SALVADORA A. MAGALAY
Municipal Vice Mayor/
Presiding Officer

ATTESTED:


APPROVED:


ERNIL C. ILLAS
Municipal Mayor
Date signed: 12-10-05