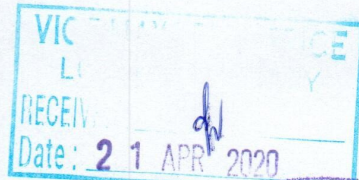
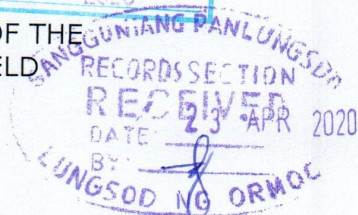


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON APRIL 21, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
2nd Asst. Majority Floor Leader, SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

PREFATORY STATEMENT

WHEREAS, Section 15, Article II of the 1987 Constitution states that "The State shall protect and promote the right to health of the people and instill health consciousness among them"

WHEREAS, Article 458 (a) of the Local Government Code mandates that "The Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall: ccc (iii) Approve ordinances imposing a fine not exceeding Five thousand Pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, for the violation of a city ordinance";

WHEREAS, on January 30, 2020 the World Health Organization (WHO) declared the Coronavirus Disease (COVID-19) outbreak a Public Health Emergency of International Concern (PHEIC), following which and on March 11, 2020, the spread of the same virus was characterized COVID-19 as a pandemic;

WHEREAS, The Department of Health (DOH) has confirmed cases of local transmission of COVID- 19 in the Philippines as consequence of which President Rodrigo R. Duterte has issued Proclamation No. 922 dated March 8, 2020. On March 16, 2020, President Duterte signed Proclamation No. 929 and placed the whole country under a state of calamity;

WHEREAS, science shows that a virus, including the COVID-19 is transmitted through respiratory droplets generated when an infected person coughs or sneezes and the droplets extend about three (3) to six (6) feet from the person that generate it;

WHEREAS, with the method by which the virus is transmitted, stringent social distancing measures will have to be imposed to slow down if not stop the spread of the COVID- 19;

Ord. No. 022, S. 2020

WHEREAS, Inter-Agency Task Force (IATF) issued Resolution No. 18 and recommended the mandatory use of face masks to effectively lessen the transmission of COVID-19;

WHEREAS, The Department of Local and Interior Government (DILG) issued Memorandum Circular No. 2020-71 which urged Local Government Units (LGUs) to pass an ordinance requiring their constituents to wear face masks at all times in the public as a precautionary measure to prevent the spread of COVID-19;

NOW, THEREFORE, on joint motion of SP Member Eusebio Gerardo S. Penserga, Chairman Committee on Health & Sanitation and SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws & Ordinances, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, Jasper M. Lucero, Vincent L. Rama, Esteban V. Laurente and Joan Marbie C. Simbajon; be it

RESOLVED, to enact:

**ORDINANCE NO. 022
(Series of 2020)**

AN ORDINANCE REQUIRING THE WEARING OF FACE MASKS BY ALL PERSONS WITHIN THE JURISDICTION OF ORMOC CITY DURING TIMES OF PUBLIC HEALTH EMERGENCY WHEN REQUIRED BY PUBLIC HEALTH AUTHORITIES, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED by the 15TH Sangguniang Panlungsod ng Ormoc, in Regular Session assembled that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the "**FACE MASK DURING PUBLIC HEALTH EMERGENCIES ORDINANCE**".

SECTION 2. DECLARATION OF POLICY. It is hereby declared as a policy of the City Government of Ormoc to adopt rapid containment and implementation measures for disease prevention and control.

SECTION 3. SCOPE. This Ordinance shall cover all persons within the territorial jurisdiction of the City of Ormoc.

SECTION 4. DEFINITION OF TERMS. Whenever used in this Ordinance, the following terms shall be construed to mean as follows:

- a. "**Admonition**" refers to a gentle reproof, a mild rebuke, warning, reminder, counselling on a fault, error or oversight, an expression of authoritative advice or warning.
- b. "**Face Mask**" shall refer to any protective covering for the nose, mouth and chin, which can either be reusable, washable, improvised, customized or disposable.
- c. "**Public Places**" shall mean places, fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including, but not limited to, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports grounds or centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways, entrance ways, walking areas, and the like.

d. **"Public Health Emergency"** refers to an occurrence or imminent threat of an illness or health condition that:

- (1) Is caused by any of the following:
 - (i) Bio terrorism;
 - (ii) Appearance of a novel or previously controlled or eradicated infectious agent or biological toxin;
 - (iii) A natural disaster;
 - (iv) A chemical attack or accidental release;
 - (v) A nuclear attack or accident; or
 - (vi) An attack or accidental release of radioactive materials; and
- (2) Poses a high probability of any of the following:
 - (i) A large number of deaths in the affected population;
 - (ii) A large number of serious injuries or long-term disabilities in the affected population;
 - (iii) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial harm to a large number of people in the affected population;
 - (iv) International exposure to an infectious or toxic agent that poses a significant risk to the health of citizens of other countries; or
 - (v) Trade and travel restrictions.

e. **"Public Health Authority"** refers to the Department of Health (DOH), the City Health Office (CHO), or any person directly authorized to act on behalf of the DOH or the CHO.

SECTION 5. MANDATORY USE OF FACE MASKS. All persons shall wear face masks when outside of their residences at all times, when entering government buildings and offices, and while in public places, parks and roads and common space within the territorial jurisdiction of Ormoc City, during a state of public health emergency as declared by a public health authority when said authority is requiring the same. The use of the said face masks shall be a continuing requirement during the pendency of said state of public health emergency.

SECTION 6. PENALTY. Any person found not wearing a face mask as mandated herein shall be liable to a fine of not less than Php 1,000.00 but not more than Php 5,000.00 or imprisonment of not more than one (1) month, or both at the discretion of the court.

Any person cited for violation of this Ordinance who does not wish to contest the apprehension may opt to pay Php 1,000.00 administrative fine, in lieu of the institution of criminal charge.

Violators who opt to pay an administrative fine shall directly pay to the Office of the City Treasurer, who shall issue an Official Receipt, by presenting the citation ticket issued by the apprehending authority within three (3) days from the date of apprehension. After the lapse of three (3) days from the date of apprehension without payment of the administrative fine to the Office of the City Treasurer, the case may be filed against the violator in court.

SECTION 7. ADMONITION OF MINORS. Minors found violating this Ordinance shall be admonished and given a lecture, not more than 24 hours, on values formation and discipline, together with their parents or guardians by the Barangay Council for the Protection of Children.

SECTION 8. IMPLEMENTING AGENCY. The Office of the City Mayor, thru the concerned offices under its supervision, the Philippine National Police, the Punong Barangays under the jurisdiction of the City, thru its enforcement arms, shall be responsible for the full implementation of this Ordinance.

SECTION 9. REPEALING CLAUSE OR AMENDATORY CLAUSE. All ordinances, rules and regulations or part or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended and or modified accordingly.

SECTION 10. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this Ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected shall remain in full force and effect.

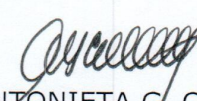
SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon its approval and publication in the local newspaper of general circulation, and posting in conspicuous places in the City of Ormoc as required under the Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, April 21, 2020.


RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the City Treasurer; the PNP; the TEAM Office; the President, Liga ng mga Barangay ng Ormoc; all Punong Barangays; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

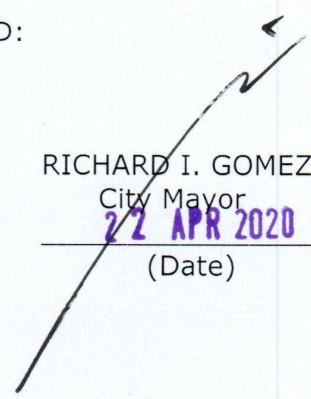
I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor
22 APR 2020
(Date)