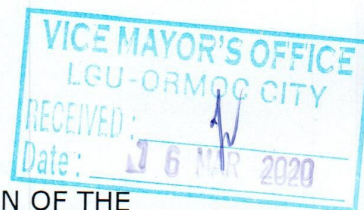




REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE CITY VICE MAYOR'S CONFERENCE ROOM
ON MARCH 15, 2020

PRESENT:

Leo Carmelo L. Locsin, Jr.
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, Presiding Officer "Pro-Tempore"
2nd Asst. Majority Floor Leader, SP Member
SP Member
SP Member
SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,

ON LEAVE:

Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,

SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader

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, The Department of Health (DOH) has confirmed cases of local transmission of the Corona Virus Disease (Covid-19) in the Philippines as consequence of which President Rodrigo R. Duterte has issued Proclamation No. 922 dated March 8, 2020 declaring the Philippines under a State of Public Health Emergency allowing the activation of the measures contained in Republic Act (RA) No. 11332 or the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act", requiring a whole-of-Government response and needing the efforts of government agencies and Local Government Units;

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. 019, S. 2020

WHEREAS, the imposition of a curfew will help restrict the movement of people in Ormoc City, and eventually will result in the cessation of the spread of the COVID- 19;

NOW, THEREFORE, on MASS MOTION of the Body; be it

RESOLVED, to enact:

ORDINANCE NO. 019
(Series of 2020)

AN ORDINANCE MANDATING THE STRICT IMPLEMENTATION OF CURFEW HOURS FROM 10:00 O'CLOCK IN THE EVENING TO 5:00 O'CLOCK IN THE MORNING OF THE FOLLOWING DAY FOR THE DURATION OF A PUBLIC HEALTH EMERGENCY.

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

SECTION 1. SHORT TITLE. This Ordinance shall be known as the "Public Health Emergency Curfew 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, including quarantine, isolation and such other directive as may be issued by public health authorities.

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

SECTION 4. PROHIBITED ACTS. During a state of a Public Health Emergency declared by the President, or by other officials allowed by law and until the same is lifted, ALL persons, regardless of age or residence, are hereby prohibited to loiter, wander, stroll, play or to remain or stay in public places within the territorial jurisdiction of the City without legal or justifiable reason from 10:00 o'clock in the evening to 5:00 o'clock in the morning of the following day, daily, save those falling under herein exceptions:

1. Those who work within the hours prohibited by this Ordinance;
2. Doctors, nurses, and other health personnel, ambulance drivers, and like persons;
3. Peace and Order personnel in the Barangay and City levels, as determined by the Local Chief Executive;
4. Emergency cases as may be allowed by the City Health Office;
5. Other meritorious cases as may be determined by the Local Chief Executive.

It is unlawful for any parent or guardian of a minor child to knowingly permit or allow a child to remain in any public place within the City of Ormoc during curfew hours.

SECTION 5. PENALTY. The penalty of a fine of ONE THOUSAND PHILIPPINE PESOS (PHP1,000.00) TO THREE THOUSAND PHILIPPINE PESOS (PHP3,000.00) 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 the minimum fine herein prescribed prior to the institution of formal charges.

SECTION 6. 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 38 of Ordinance No. 013 shall be amended to read as follows:

CURFEW ON MINORS. For the protection of children, they shall be prohibited from loitering around or sleeping in public places from 10 o'clock in the evening until 4 o'clock in the morning of the following day. This provision shall not be imposed during Christmas vacation and other festivities, celebration, or instances, which shall be determined and defined by the OCCWC. In these cases, the presence of children in public places are allowed and encouraged.

Children caught violating this provisions shall be immediately turned over to the custody of the City Social Welfare and Development Office and shall be released only after having attended with their respective parents or guardians to a two (2) hours seminar on parent effectiveness and four (4) hours community service.

When the City is under a state of Public Health Emergency, curfew hours shall be from 10 o'clock in the evening until 5 o'clock in the morning the following day.

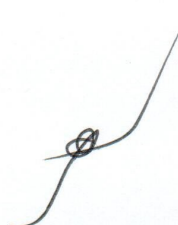
SECTION 7. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected shall remain in full force and effect.

SECTION 8. 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 Local Government Code.

ENACTED, March 15, 2020.

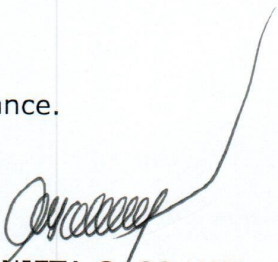
RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the City Treasurer; the PNP City Director; the PNP – City Traffic Chief; the TEAM Office; the President, Liga ng mga Barangay; the City Local Government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

CARRIED UNANIMOUSLY.




Ord. No. 019, S. 2020

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

(Date)

16 MAR 2020