



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 760, S-2020

**AN ORDINANCE IMPOSING CITY-WIDE
CURFEW FROM 8:00 PM TO 5:00 AM DURING
THE 30-DAY COMMUNITY QUARANTINE**

WHEREAS, the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, Section 16 of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, 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. Within their respective territorial jurisdictions, local government units shall ensure and support the promotion of health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, under the same Code, the Sangguniang Panlungsod shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 thereof, and for an efficient and effective city government, maintain peace and order by enacting measures to prevent and suppress lawlessness and disorder, and adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and calamities;

WHEREAS, the Sangguniang Panlungsod also has the power to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of the Local Government Code, and in addition to said services and facilities, approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

WHEREAS, the City of Mandaluyong recognizes the right of every Mandaleño to health, and shall protect their lives and limbs from any form of danger;

WHEREAS, there is an emergence of a novel corona virus that have been acknowledged by the global community to cause public health emergencies of international concern;

WHEREAS, the World Health Organization (WHO) has already made the assessment that COVID-19 can be characterized as a pandemic;

WHEREAS, on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a Public Health Emergency throughout the Philippines due to COVID-19;

WHEREAS, on March 12, 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 11, Series of 2020 placing the entire country into Code Red Sublevel 2, and President Duterte approved the imposition of Stringent Social Distancing Measures in the National Capital Region (NCR) for thirty (30) days from March 15 to April 14;

WHEREAS, at present, the Department of Health (DOH) recorded 64 confirmed cases of COVID-19 infections, 53 of which are admitted, 5 recover already and 6 accounted fatalities. Throughout the country, there are still hundreds being monitored and investigated, and the number continues to rise;

WHEREAS, as of 9:00 PM of March 14, 2020, the City of Mandaluyong has already 3 confirmed cases of COVID-19 infections, 6 persons under investigation (PUI) and 125 persons under monitoring (PUM);

WHEREAS, on March 14, 2020, the Metro Manila Council issued MMC Resolution "Urging All Local Legislative Councils of the National Capital Region to Issue an Ordinance Declaring a City/Municipality Wide Curfew in their Localities due to Novel Corona Virus (COVID-19)";

WHEREAS, the alarming increase in the spread of the novel corona virus calls for a decisive, urgent action. As it is now, for everyday of delay in our action to contain the spread of the virus, it will mean the exponential increase in people getting infected; An emergency situation such as spread of the corona virus requires immediate action and as the time is of the essence, public interest dictates that we must act fast to protect the health of the people;

WHEREAS, the Sangguniang Panlungsod of Mandaluyong adopted Ordinance No. 759, S-2020 entitles: "AN ORDINANCE DECLARING THE CITY OF MANDALUYONG UNDER STATE OF CALAMITY DUE TO THE SPREAD OF THE NEW CORONA VIRUS DISEASE 2019 (COVID-19)" on March 15, 2020;

WHEREAS, as one of the important measures to prevent the spread of the virus, there is a need to pass a legislation of a temporary nature imposing curfew for all residents of the City during the 30-day quarantine period.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod of the City of Mandaluyong, in session assembled:

Section 1. Curfew Hours; Covered Persons. There is hereby imposed a curfew hours for all persons in the City of Mandaluyong between 8:00 PM to 5:00 AM during the community quarantine period imposed by the National Government.

Section 2. Exemptions. The following shall be exempted from the implementation of the Ordinance:

- a.) Those who work at night such as call center agents, hospital personnel such as doctors, nurses, and other health personnel, ambulance drivers, security guards, and those who may be allowed by the Task Force herein created by the City;

- b.) Delivery of basic necessities like food and medicines;
- c.) Public transport services (buses, jeepneys, tricycles, and the like) as determined by the City Traffic and Parking Management Department;
- d.) Peace and Order Personnel in both city and barangay levels as determined by the Local Chief Executive;
- e.) Emergency cases as determined by the City Traffic and Parking Management Department;
- f.) All elected Government officials.

Section 3. Enforcement. This Ordinance shall be primarily implemented by the PNP-Mandaluyong to be assisted by the following authorities: a.) Punong Barangay and their Barangay Tanods, b.) City Ordinance and Enforcement Division (COED) and c.) Mandaluyong Action Command (MAC).

Section 4. Guidelines in Apprehension.

- a.) All apprehending officers shall wear their uniforms and proper identification at all times while on duty.
- b.) Persons in violation of this Ordinance shall be immediately accompanied to his or her residence. In case the violator is a minor, the parents or guardian shall be notified by the apprehending officer, and the minor shall only be released to the said parents or guardian, without prejudice to the prosecution of the parents or guardians under the Code of Parental Responsibility.
- c.) Should the violator refuse to be accompanied to his or her residence, he or she shall be brought to the nearest police station for proper arrest and detention.
- d.) Any homeless, abandoned, or neglected person found in violation of this Ordinance shall be brought to the City Social Welfare and Development Department within twelve (12) hours from apprehension.

Section 5. Penalties. Any person found violating the Ordinance shall suffer the fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of up to one (1) week, without prejudice to the prosecution for violations or offenses under other Ordinances of the City of Mandaluyong, special laws, and the Revised Penal Code.

Section 6. Separability Clause. If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full force as though the Ordinance did not originally include such invalid, illegal or unenforceable provision.

Section 7. Effectivity. This Ordinance shall take effect immediately and shall remain in full force and effect during the community quarantine period imposed by the National Government.

ENACTED on this 15th day of March 2020, in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS
ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN A SPECIAL SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS SUVA
Vice Mayor &
Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: MAR 15 2020