



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 801, S-2020

AN ORDINANCE DIRECTING STRICT IMPLEMENTATION OF PHYSICAL DISTANCING MEASURES TO CURTAIL THE SPREAD OF COVID-19 IN THE CITY OF MANDALUYONG, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

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

WHEREAS, based on Section 16 of the Local Government Code, every local government unit, including the barangay, has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare, health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the World Health Organization (WHO), early this year, characterized the onset of COVID-19 to have reached the status of a pandemic;

WHEREAS, physical distancing is a measure employed during the existence of an epidemic or pandemic where people are suggested to stay at a safe distance from other people who are not from their household in both indoor and outdoor spaces;

WHEREAS, physical distancing is a proven tool in curbing the rate of viral infection or transmission from person to person by limiting close contact with others who may be carriers of the virus;

WHEREAS, the resulting slow down of infection and transmission brought about by physical distancing measures will greatly alleviate the burden on our health care workers on the frontlines through reduced demand of intensive care and time suffered to work on duty where they are most vulnerable to infection, themselves;

WHEREAS, it is a policy of the City of Mandaluyong to strictly implement necessary health measures in order to promote the general welfare of the people especially their health and safety during this time of national public health emergency.

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod in session duly assembled that:

Section 1. TITLE – This Ordinance shall be known as the "Strict Implementation of Physical Distancing Measures Ordinance of 2020".

Section 2. DECLARATION OF OBJECTIVE – This Ordinance seeks to promote the strict implementation of physical distancing measures in order to curtail the rising number of COVID-19 cases in the City of Mandaluyong despite rigorous efforts in implementing related guidelines and mechanisms crafted by the City and the National Government.

Section 3. APPLICATION AND SCOPE – The provisions of this Ordinance shall cover those within the City of Mandaluyong and during the existence of the COVID-19 pandemic in the City.

Section 4. PHYSICAL DISTANCING MEASURES - Physical distancing of at least one (1) meter (3 feet) radius from one person to another shall be strictly observed in all public places.

Public Places. For purposes of this Ordinance, a “public place” shall include any place located within the territorial boundaries of Mandaluyong City that people in general may access, including but not limited to highways, roads, streets, sidewalks, and alleys in all barangays, subdivisions or villages; transportation terminals; parking lots, vacant lots, and the common areas in and about residential and commercial buildings, and private and government office buildings; churches, apartments, hospitals, schools, private and public wet markets, malls or shopping centers, all other commercial establishments and; places of entertainment such as movie theaters; golf clubs, gyms and other sports and recreation centers, and; other places or establishments where people tend to congregate.

SECTION 5. PERSONS NOT COVERED – shall not apply to those on board privately-owned vehicles, tricycles, bicycles, electric bikes (e-bikes), and electronic tricycles (e-trikes), provided, their passengers and riders are living in the same roof and should have the same address in their IDs and those with an emergency case and in need of medical care and support.

Section 6. FACILITATION - The owner, president, general manager, or such other officer-in-charge thereof are mandated to designate adequate security or frontline personnel to ensure the proper observance of physical distancing of people within their premises.

Section 7. STRICT IMPLEMENTATION OF SOCIAL DISTANCING MEASURES & PROTOCOLS – All existing physical distancing measures, protocols, and guidelines issued by the National Government and the Local Government of Mandaluyong, not otherwise declared as invalid, shall be categorized as mandatory and shall be strictly implemented by the proper implementing instrumentalities.

Section 8. IMPLEMENTING INSTRUMENTALITIES - Members of the Mandaluyong PNP, AFP reservists assigned to the City of Mandaluyong, Anti-Vice, the City Ordinance Enforcement Division, all Barangay and SK officials including Bantay Bayan members and other enforcers to be determined by the City Mayor.

Section 9. PENALTY - Any person found in violation of social or physical distancing measures, protocols, and guidelines shall be penalized as follows:

- a. First Offense – Five Hundred Pesos (P500.00)
- b. Second Offense – One Thousand Pesos (P1,000.00)
- c. Third Offense – One Thousand Five Hundred Pesos (P1,500.00)
- d. Subsequent Offenses: Three Thousand Pesos (P3,000.00), or imprisonment of Thirty (30) days, or both at the discretion of the court

In case of inability to pay for the fine above, the imposition of the alternative penalty of three (3) days community service shall be imposed. The community service shall be rendered under the supervision of the Punong Barangay of the place where the person committed the violation. Minors who are unable to pay the fine shall be substituted by their parents or legal guardian for the community service.

If committed by a business establishment or juridical person, the owner, president, general manager or such other officer in charge thereof, shall be held liable. Moreover, such business establishment may be closed immediately and its business permit and license suspended or cancelled after due notice and hearing.

If the offender is a public officer or employee, an administrative case may also be filed against him/her pursuant to the Local Government Code of 1991 or the Civil Service laws, rules and regulations, as the case may be.

Section 10. SEPARABILITY CLAUSE - If, for any reason, any provision of this Ordinance is declared unconstitutional or contrary to law, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 11. REPEALING CLAUSE - Any and all executive orders, issuances, rules and regulations, and memorandum of the City of Mandaluyong or any part thereof which are inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

ENACTED on this 28th day of September, 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 REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

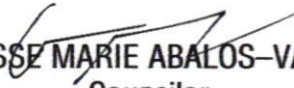

ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer

APPROVED:

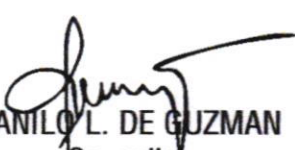

CARMELITA A. ABALOS
City Mayor

Date: SEP 30 2020

DISTRICT I


CHARISSE MARIE ABALOS-VARGAS
Councilor


ANJELO ELTON P. YAP
Councilor


DANILO L. DE GUZMAN
Councilor


GRACE MARIE V. ANTONIO
Councilor

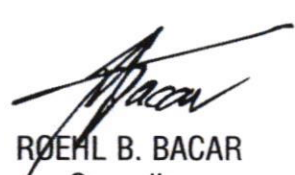

RODOLFO M. POSADAS
Councilor


ESTANISLAO V. ALIM III
Councilor

DISTRICT II


BENJAMIN A. ABALOS III
Councilor


CHERRY LYNN PABLO-SANTOS
Councilor


ROEHL B. BACAR
Councilor


JESUS C. CRUZ
Councilor


FERNANDO S. OCAMPO
Councilor


MICHAEL ERIC G. CUEJILO
Councilor


DARWIN A. FERNANDEZ
LoB President


AEROL SEDRICK A. MANGALIAG
SK Federation President