



REPUBLIC OF THE PHILIPPINES
SANGGUNIANG PANLUNGSOD
 CITY OF MANDALUYONG



ORDINANCE NO. 897, S-2022

AN ORDINANCE PRESCRIBING THE GUIDELINES ON THE WEARING OF FACE MASKS, FACE COVERINGS, AND FACE SHIELDS WITHIN THE TERRITORIAL JURISDICTION OF MANDALUYONG CITY, AND IMPOSING PENALTIES FOR VIOLATION THEREOF

WHEREAS, since the Year 2020, the COVID-19 pandemic has continuously caused the loss of numerous job opportunities of the constituents of the City and the closure of business establishments and private organizations existing and operating in the City of Mandaluyong;

WHEREAS, as an immediate response to the widespread effects of the COVID-19 pandemic, Ordinance No. 767, S-2020, otherwise known as "Mandatory Wearing of Face Masks Ordinance", Ordinance No. 795, S-2020, partially amending Ordinance No. 767, S-2020, Ordinance No. 798, S-2020, otherwise known as "Mandatory Wearing of Face Shield Ordinance", and Ordinance No. 799, S-2020, partially amending Ordinance No. 798, S-2020, were enacted by the Sangguniang Panlungsod;

WHEREAS, the City Government of Mandaluyong has never shortchanged its constituents in its efforts to ensure their safety through the nationwide mandate for vaccination, which has contributed largely to the control of the effects of the COVID-19 pandemic;

WHEREAS, at the present time, the City of Mandaluyong has administered a total of 1,372,243 vaccine doses to a total of 559,462 constituents, while continuously offering vaccination to the public in its numerous vaccination sites;

WHEREAS, despite the adverse effects of this communicable disease which continues to affect our society, the proliferation of liberalized mandates among the neighboring countries of the Philippines relating to the wearing of face masks and face shields has paved the way for a comfortable and convenient way of living and allowed the transition of the Philippines into the "New Normal";

WHEREAS, on 15 November 2021, a Memorandum from Executive Secretary Salvador C. Medialdea was issued setting out the protocols for the use of face shields and recommending the adoption of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) Resolution for the voluntary wearing of face shields for areas covered by Alert Levels 1 to 3, the discretionary mandate to local government units and private establishments for the wearing of face shields for areas covered by Alert Level 4, and the mandatory wearing of face shields only for areas covered by Alert Level 5, areas covered by granular lockdowns, and in medical and quarantine health facilities;

A. DLS. SUVA
 DISTRICT I

AE. YAP
 DISTRICT I

D. DE GUZMAN
 DISTRICT I

R. POSADAS
 DISTRICT I

CM. MANALO
 DISTRICT I

E. ALIN III
 DISTRICT I

AS. MANGALIAG
 SK. FED. PRES.

B. ABALOS III
 DISTRICT II

A. STA. MARIA
 DISTRICT II

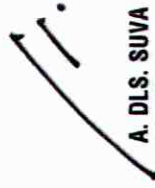
R. ANTIJOJO
 DISTRICT II

L. CRUZ
 DISTRICT II

M. OCAMPO
 DISTRICT II

ME. CUEJILLO
 DISTRICT II

D. FERNANDEZ
 LAB. PRES.


A. DLS. SUVA
DISTRICT I

WHEREAS, on 31 December 2021, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 155 placing the National Capital Region on Alert Level 3, while not including any directive as regards the use of face shields, thus, maintaining the above-mentioned mandate on the use of face shields as prescribed under the Memorandum of the Executive Secretary;


B. ABALOS III
DISTRICT II


AE. YAP
DISTRICT I

WHEREAS, on 12 September 2022, His Excellency President Ferdinand Romualdez Marcos issued Executive Order No. 3, S-2022, entitled "Allowing Voluntary Wearing of Facemasks in Outdoor Settings and Reiterating the Continued Implementation of Minimum Public Health Standards during the State of Public Health Emergency relative to the COVID-19 Pandemic";


A. STA. MARIA
DISTRICT II


D. DE GUZMAN
DISTRICT I

WHEREAS, the said Order provides for, among others, the voluntary wearing of face masks in open spaces and non-crowded outdoor areas with good ventilation, while highly encouraging individuals who are either not fully-vaccinated or immunocompromised, and senior citizens to wear their masks;


R. ANTIJOJO
DISTRICT II

WHEREAS, the same Order, nonetheless, requires the wearing of face masks in indoor private and public establishments, including in public transportation by land, air, or sea, and in outdoor settings where physical distancing cannot be maintained;


R. POSADAS
DISTRICT I

WHEREAS, the said Order arose from Resolution No. 1, S-2022 issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF), recommending the amendment of Guidelines and making wearing of face masks optional in open spaces, or non-crowded outdoor areas with good ventilation, provided that senior citizens and immunocompromised individuals are highly encouraged to wear their masks, or in the alternative, the lifting of the mandatory mask mandate and allowing the optional wearing of face masks in open spaces, outdoor areas, and non-crowded spaces with good ventilation;


L. CRUZ
DISTRICT II


CM. MANALO
DISTRICT I

WHEREAS, Section 3 of the said Order, likewise, directs local government units to render full assistance to and cooperation with the IATF for the effective and orderly implementation of the same;


M. CAMPO
DISTRICT II

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


E. ALIM III
DISTRICT I

WHEREAS, in view of the issuance of the said Order and the directive for local government units to effectively and orderly implement the same, it is incumbent upon the Sangguniang Panlungsod to enact measures outlining the general guidelines for the wearing of face masks within the territorial jurisdiction of Mandaluyong City and to repeal the defunct ordinances pertinent to the aforementioned circumstances.


ME. CUEJILLO
DISTRICT II


AS. MANGALIAG
SK. FED. PRES.


D. FERNANDEZ
LNB. PRES.


A. DLS. SUVA
DISTRICT I

NOW, THEREFORE, BE IT ORDAINED, as it is hereby ORDAINED, by the Sangguniang Panlungsod of Mandaluyong, in session duly assembled:


AE. YAP
DISTRICT I

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the “Guidelines on the Wearing of Face Masks, Face Coverings, and Face Shields Ordinance”.

SECTION 2. DEFINITION OF TERMS. – For purposes of this Ordinance, the following definitions shall be adopted:

a. A “face mask” or “face covering” is any form of covering for the nose and mouth, including medical masks, industrial masks, ear loop masks, indigenous, reusable, or do-it-yourself masks, cloth masks, improvised masks, face shields, bandanas, or handkerchiefs.

b. A “face shield” is a personal protective equipment device, typically made of clear plastic, that protects the facial area and associated mucous membranes of the eyes, nose, and mouth from splashes, sprays, and spatter of body fluids. It must cover the entire face (completely cover the sides and length of the face), and if possible, should extend to the ears and below; the chin. It includes do-it-yourself face shields, as long as the coverage is the same as previously described. This shall not include visor-type face shields, which only covers the eyes, or only the eyes and nose.

c. “Indoor private establishment” is an establishment independently constructed on a particular space, or forming part of a building, structure, or conveyance owned, operated, managed, or established by a private individual or entity, covered by a roof or structures serving the same purpose and having one or more walls, fences, sides, and other similar enclosing structures, serving its purpose without an opening on constructed on such roof, walls, and similar structures, or with an opening less than the aggregate area of the establishment. Doors and windows that can be opened and shut shall not be considered as an opening. Despite the existence of open spaces, an indoor private establishment shall include these spaces, along with all other enclosures.


B. ABALOS III
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A. STA. MARIA
DISTRICT II


D. DE GUZMAN
DISTRICT I


R. ANTONJO
DISTRICT II

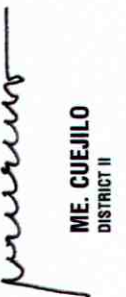

R. POSADAS
DISTRICT I


L. CRUZ
DISTRICT II


CM. MANALO
DISTRICT I

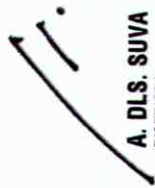

M. OCAMPO
DISTRICT II


E. ALIM III
DISTRICT I


ME. CUEJLO
DISTRICT II


AS. MANGALIAG
SK. FED. PRES.


D. FERNANDEZ
LNB. PRES.


A. DLS. SUVA
DISTRICT I


AE. YAP
DISTRICT I


D. DE GUZMAN
DISTRICT I


R. POSADAS
DISTRICT I


CM. MANALO
DISTRICT I


E. ALIM III
DISTRICT I


AS/MANGALIAG
SK FED. PRES.

d. "Indoor public establishment" is an establishment independently constructed on a particular space, or forming part of a building, structure, or conveyance owned, operated, managed, or established by a public entity, as well as those considered open for public consumption, covered by a roof or structures serving the same purpose and having one or more walls, fences, sides, and other similar enclosing structures, serving its purpose without an opening on constructed on such roof, walls, and similar structures, or with an opening less than the aggregate area of the establishment. Doors and windows that can be opened and shut shall not be considered as an opening. Despite the existence of open spaces, an indoor public establishment shall include these spaces, along with all other enclosures.

e. "Outdoor setting" refers to those open-air areas where ample ventilation exists, as well as those areas which are not covered by a roof and enclosed by walls, fences, or other similar structures, including but not limited to streets, highways, sidewalks, parking lots, vacant lots, parks, and similar areas, places, or establishments.

SECTION 3. GUIDELINES ON THE WEARING OF FACE MASKS. – It shall be mandatory for all persons to wear a face mask or face covering in indoor private and public establishments, including in public transportation by land, air, or sea, and in outdoor settings where physical distancing cannot be maintained within the territorial jurisdiction of Mandaluyong City, except when the individual is:

- a. eating or drinking; or
- b. participating in team and individual sports in venues where ventilation standards can be maintained.

The wearing of face mask or face covering shall be optional in open areas, non-crowded outdoor areas, and outdoor settings where physical distancing can be maintained.

Notwithstanding the immediately preceding paragraphs, senior citizens and immunocompromised individuals are highly encouraged to wear their masks at all times.

SECTION 4. GUIDELINES ON THE WEARING OF FACE SHIELDS. – The wearing of face shields shall only be mandatory within the territorial jurisdiction of Mandaluyong City in the following circumstances:


B. ABALOS III
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A. STA. MARIA
DISTRICT II

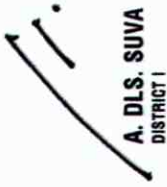

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DISTRICT II


ME. CUEJILLO
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LAB PRES.


A. DLS. SUVA
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R. POSADAS
DISTRICT I


CM. MANALO
DISTRICT I


E. ALIM III
DISTRICT I


AS. MANGALIAG
SK FED. PRES.

- a. Immediately upon the classification of the City of Mandaluyong as an area under Alert Level 5, as declared by the relevant national authorities;
- b. Areas within the territorial jurisdiction of the City of Mandaluyong subject to granular lockdowns, as declared by the relevant national authorities;
- c. Upon the sole discretion of the City Government of Mandaluyong and private establishments, through the Local Chief Executive, upon the classification of the City of Mandaluyong as an area under Alert Level 4;
- d. Medical and quarantine facility settings;
- e. Other high risk areas, as may be determined by the Local Chief Executive in accordance with the guidelines of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF).


B. ABALOS III
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A. STA. MARIA
DISTRICT II


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DISTRICT II


L. CRUZ
DISTRICT II


M. OCAMPO
DISTRICT II


ME. CUEJLO
DISTRICT II


D. FERNANDEZ
LNB PRES.

SECTION 5. ENFORCEMENT. – This Ordinance shall be implemented by the Punong Barangays and their respective Bantay Bayans, the PNP-Mandaluyong, the City Ordinance and Enforcement Division (COED), Anti-Vice, and Mayor’s Action Command (MAC).

SECTION 6. PENALTIES. – Any person who violates any of the provisions of this Ordinance shall suffer the penalty of:

First Offense	Fine of One Hundred Pesos (P100)
Second Offense	Fine of One Hundred Pesos (P200)
Third Offense	Fine of One Hundred Pesos (P300)
Subsequent Offenses	Fine of One Hundred Pesos (P500), or imprisonment of one, or both, at the discretion of the court.

SECTION 7. SUSPENSION OF GUIDELINES. – The implementation of the aforementioned guidelines shall be deemed suspended immediately upon the express declaration of the President of the Philippines, through the recommendation of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID), of the reinstatement of the previous regulations mandating the wearing of face masks, face coverings, and face shields.

Conversely, the suspension of this Ordinance under the preceding paragraph shall be lifted and its provisions reimposed upon the declaration of the President of the Philippines through the recommendation of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) of the cessation of circumstances causing its suspension.


A. DLS. SUVA
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DISTRICT I


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DISTRICT I


CM. MANALO
DISTRICT I


E. ALIM III
DISTRICT I


AS. MANGALIAG
SK FED. PRES.

SECTION 8. SEPARABILITY CLAUSE – Any provision or portion of this Ordinance found to be violative of the Constitution or invalid shall not impair the other provisions or parts thereof which shall continue to be in force and in effect.

SECTION 9. REPEALING CLAUSE – Ordinance Nos. 767, S-2020; 795, S-2020; 798, S-2020; 799, S-2020 and any Ordinance not consistent with the provisions of this Ordinance are hereby repealed.


SECTION 10. EFFECTIVITY CLAUSE – This Ordinance shall take effect fifteen (15) days upon its complete publication in a newspaper of general circulation in Metro Manila.

ENACTED on this 11th day of October 2022, 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:


CARMENITA A. ABALOS
City Vice Mayor &
Presiding Officer

APPROVED BY:


BENJAMIN S. ABALOS
City Mayor

Date: OCT 12 2022


B. ABALOS III
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