



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 798, S-2020

AN ORDINANCE MANDATING THE USE OF
FACE SHIELDS WHILE INSIDE THE
WORKPLACE, PUBLIC TRANSPORTATION,
AND IN PUBLIC PLACES WITHIN THE
TERRITORIAL JURISDICTION OF
MANDALUYONG CITY, AND IMPOSING
PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, it is a state policy to protect and promote the right to health of its people;

WHEREAS, Section 6(e) of Republic Act No. 11332, "The Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act," provides that local governments have the authority to conduct and enforce disease surveillance and response systems, epidemic/outbreak and epidemiologic investigations, and rapid containment, quarantine and isolation, disease prevention and control measures;

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;

WHEREAS, the Sangguniang Panlungsod ng Mandaluyong enacted Ordinance No. 767, S-2020, as amended by Ordinance No. 795, S-2020, which mandated the wearing of a face mask or face covering for all persons in public places within the territorial jurisdiction of Mandaluyong City;

WHEREAS, the Department of Transportation (DOTR) has issued Memorandum Circular No. 2020-014, dated August 3, 2020, mandating that all officials/heads of various transportation sectors to enjoin, within their respective jurisdictions, the mandatory wearing of face shields (aside from face masks) for all passengers in areas where public transportation is allowed, effective August 15, 2020;

WHEREAS, since studies have shown that face shields further reduce viral exposure and in order to promote a more comprehensive action to curb the spread of COVID-19, the City Government of Mandaluyong, following the lead of the DTI-DOLE and DOTR, deems it necessary to impose the wearing of face shields along with face masks by all persons in public places within the territorial jurisdiction of Mandaluyong City.

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

SECTION 1. SHORT TITLE. - This Ordinance shall be known as the "Mandatory Wearing of Face Shield Ordinance".

SECTION 2. ACTS PUNISHED. - The following acts are punished under this Ordinance:

- a.) Not wearing a face shield while in a public place or while inside a public transportation;
- b.) Wearing a visor-type face shield which only covers the eyes, or the eyes and nose;
- c.) Improper wearing of a face shield;
- d.) Removing the face shield while in the workplace, and when doing so is not according to the demands of the work, or is not required by the occupational safety and health of the employee.

SECTION 3. PERSONS LIABLE. - All persons in public places within the territorial jurisdiction of Mandaluyong City are required to properly wear a face shield along with face masks. Otherwise, they shall be charged for violation of this Ordinance.

SECTION 4. DEFINITIONS. For purposes of this Ordinance, the following definitions shall be adopted:

- a.) 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.
- b.) 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 streets, highways, sidewalks, parking lots, transportation terminals for public vehicles, public vacant lots, parks, sari-sari stores, groceries, supermarkets, wet markets, pharmacies, drug stores, banks, offices, and the common areas in and about pawnshops, money changers, remittance centers, churches, residential buildings, malls or shopping centers, commercial establishments and places of entertainment such as movie theaters and similar places or establishments, public and private office buildings, hospitals, clinics, centers, and schools.

SECTION 5. ROLE OF COMMERCIAL AND BUSINESS ESTABLISHMENTS. - All commercial and business establishments in Mandaluyong City are encouraged to take appropriate measures to ensure that all employees and persons going to and from, or otherwise found in their respective establishments shall observe the mandatory use of face shield.

SECTION 6. ENFORCEMENT. - This Ordinance shall be implemented by the Punong Barangay and their Bantay Bayan, the PNP-Mandaluyong, the City Ordinance and Enforcement Division (COED), Anti-Vice Division, and Mayor's Action Command (MAC).

SECTION 7. PENALTIES. - Any person who violates this Ordinance shall suffer the penalty of:

- a.) 1st Offense: One Hundred Pesos;
- b.) 2nd Offense: Two Hundred Pesos;
- c.) 3rd Offense: Three Hundred Pesos;
- d.) Subsequent offenses: Five Hundred Pesos, or imprisonment of one (1) week, or both, at the discretion of the court.

SECTION 8. SEPARABILITY CLAUSE. - If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

SECTION 9. REPEALING CLAUSE. - All ordinances, resolutions, rules and regulations inconsistent with the provisions of this Ordinance are hereby amended or modified or accordingly.

SECTION 10. EFFECTIVITY. - This Ordinance shall take effect immediately upon its approval, and shall continue to be enforced until the cessation of the State of Public Health Emergency due to COVID-19, or unless sooner lifted by the Sangguniang Panlungsod through an Ordinance.

ENACTED on this 2nd 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 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: SEP 03 2020