



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 761, S-2020

**AN ORDINANCE ORDERING TEMPORARY
CLOSURE OF MALLS AND SIMILAR
ESTABLISHMENTS TO PREVENT THE SPREAD
OF NOVEL CORONA VIRUS (COVID-19)**

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 4:00 PM of March 14, 2020, the City of Mandaluyong has already 2 confirmed cases of COVID-19 infections, 6 persons under investigation (PUI) and 123 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 for the Temporary Closure of Malls and Establishments of the Same Kind in their Localities due to the Novel Corona Virus (COVID-19)";

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 closing malls and other similar establishments in Mandaluyong 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. The following malls and similar establishments shall be closed to the general public and shall stop business operations during the 30-day quarantine period: The Podium, SM Light Mall, Shangri-La Plaza, Shaw Center Mall, SM Megamall, Forum Robinsons, Greenfield District Pavilion, EDSA Central Mall, and SM Cherry Shaw, Market Place, Shaw 500, Starmall, and St. Francis Square.

Section 2. The temporary closure shall not cover the following establishments inside the malls and similar establishments: groceries, supermarkets, pharmacies and/or drugstores, banks and those offering medical services, food delivery services, bayad centers, hardwares, water refilling stations, cargo deliveries and BPOs; Provided that they should open only between 11:00 A.M. to 7:00 P.M.; Provided further that, strict social distancing measures, and other health and safety measures are observed. Strict social distancing is defined as strict maintenance of a distance of at least one (1) meter radius between one another.

Subject to day-to-day monitoring and evaluation, the Executive Department may add or exempt additional establishments as may be necessary.

Section 3. The Executive Department shall immediately issue the necessary guidelines for the implementation of the Ordinance.

Section 4. Any person or entity found to have violated this Ordinance shall be penalized with a fine of Five Thousand Pesos (P5,000.00).

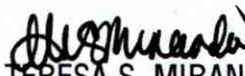
If the offense is committed by a corporation, partnership or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, and/or such other officers-in-charge shall be held liable.

In addition, the business permit and license to operate of the concerned entity shall be suspended or cancelled after hearing. As preventive measure, immediate closure of the establishment shall be made pending such hearing.

Section 5. This Ordinance shall take effect for a period of fourteen (14) days starting from March 16, 2020 up to March 29, 2020.

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