

MUNICIPAL ORDINANCE NO. 2020-06
Series of 2020

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AN ORDINANCE REQUIRING THE WEARING OF FACE MASKS BY ALL PERSONS IN PUBLIC PLACES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BONGABONG, ORIENTAL MINDORO AS PART OF THE NEW NORMAL

WHEREAS, on March 8, 2020, President Rodrigo R. Duterte, recognized that the corona virus disease (COVID-19) constitutes a threat to the national security, and to prompt a whole – of–nation approach in addressing the COVID-19 outbreak, declared a State of Public Health Emergency throughout the entire Philippines through Presidential Proclamation No. 922 series of 2020;

WHEREAS, the Department of Health (DOH) has already reported a substantial number of confirmed cases and of deaths due to the COVID-19 in the country as of April 6, 2020;

WHEREAS, Provincial Governor Humerlito A. Dolor, MPA, Ph. D, issued several executive orders providing for health and safety protocols to address this pandemic;

WHEREAS, the wearing of face masks, coupled with proper sanitation and frequent washing of hands with soap and water and strict physical distancing is among the ways to continuously prevent the transmission and spread of the COVID-19, as enunciated in the said Order;

WHEREAS, Sec. 9, Article II – Declaration of Principles and State Policies of the Constitution of the Philippines provides that local government units shall ensure to promote health and safety;

WHEREAS, under the Guidelines on the General Community Quarantine, minimum public health standards shall be complied with at all times within the duration of the General Community Quarantine (GCQ);

WHEREAS, it is incumbent upon the Municipal Government of Bongabong, pursuant to its duty under the doctrine of *parens patriae* to further protect the interest of the people in its battle against the COVID-19 pandemic and such other pandemic;

WHEREAS, the observance of this health practice even after the lifting of the community quarantine will redound to the benefit of everybody considering that the threat of COVID-19 and other similar diseases is not yet eliminated;

NOW THEREFORE, BE IT ENACTED by the Sangguniang Bayan, in regular session duly assembled;

SECTION 1. TITLE. This Ordinance shall be known as the “**MANDATORY WEARING OF FACE MASKS IN PUBLIC PLACES ORDINANCE**”

SECTION 2. COVERAGE. This Ordinance shall be enforced at all time and shall apply to all persons in public places within the territorial jurisdiction of the Municipality of Bongabong.

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms are hereby defined:

- a. **Face masks** - any reusable, disposable or improvised item made of cloth or any breathable material worn over the nose and mouth which can serve as protection or barrier against possible infection from a disease such as the COVID-19 and other similar diseases. These shall include surgical masks, cloth masks, bandanas, washable masks, N-95 masks, face shields, among others.
- b. **Public places** – all places, fixed or mobile, that are accessible or open to the public; or places for collective use, regardless of ownership or right to access, including but not limited to, schools, work places, government offices and facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment, and other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people may gather such as, but not limited to, parks, playgrounds, sports grounds, centers, church grounds, health/hospital compounds, markets, walkways, and waiting areas.

Further, it shall also include public utility or common utility vehicles such as buses and minibuses offering free rides, shuttles and vans that ferry individuals and employees to and from their homes and places of work.

SECTION 4. MANDATORY WEARING OF FACE MASKS. As part of the precautionary and safety measures, all persons within the territorial jurisdiction of Bongabong are directed to wear the prescribed face masks sufficient to reduce, if not prevent, the probability of transmission and mitigate contamination.

The wearing of face masks shall always be done in all public places.

Public and private establishments are likewise mandated to refuse entry to persons who are not wearing face masks.

SECTION 5. ADMINISTRATIVE PENALTIES. Any person found violating this Ordinance FOR THE FIRST TIME shall be fined FIVE HUNDRED PESOS (P500.00); for those found violating FOR THE SECOND TIME, shall be fined ONE THOUSAND PESOS (P1,000.00) and those found violating for the third and succeeding time shall be fined TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00).

SECTION 6. ENFORCEMENT. The Philippine National Police of the Bongabong Municipal Police Station and barangay officials within their respective territorial jurisdictions shall enforce this Ordinance. The fines herein imposed shall be collected by the municipal treasurer, and by barangay treasurers if the violation was committed in their respective barangays. Those arrested by barangay officials shall be brought to the municipal police station for recording purposes. The official receipt evidencing payment of the fine herein imposed shall be the basis for the release of the violator. The fine of those apprehended by barangay officials shall accrue to the fund of the barangay.

SECTION 7. REPEALING CLAUSE. All ordinances, resolution, executive issuances or rules and regulations or parts thereof, whose provisions are inconsistent with or contrary to the provision of this Ordinance, are hereby deemed, repealed, amended or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full force and effect.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect on June 16, 2020 after compliance with the publication/posting requirement.

Certified true:

Atty. EDUARDO M. MAGSINO, REB, EnP
Secretary to the Sangguniang Bayan

Attested by:

Hon. RICHARD S. CANDELARIO
Vice-Mayor/Presiding Officer

Approved:

Hon. ELEGIO A. MALALUAN, O.D.
Municipal Mayor
Date: _____