



Republic of the Philippines
Province of Eastern Samar
Municipality of Arteche



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Office of the Sangguniang Bayan

AN ORDINANCE REGULATING OTHER ACTIVITIES AS ADDITIONAL MEASURES TO PREVENT THE SPREAD OF COVID-19 IN THE MUNICIPALITY OF ARTECHE, EASTERN SAMAR, AND PENALIZING VIOLATORS HEREOF.

MUNICIPAL ORDINANCE NO. 2020-04

Series of 2020

Introduced & Proposed by:

Hon. Adolf M. Pajanustan

SB Chairman, Committee on Rules

Seconder :

Unanimously seconded

WHEREAS, on March 23, 2020, RA 11469, otherwise known as "*Bayanihan to Heal as One Act*" or "*An Act Declaring the Existence of National Emergency Arising from Corona Virus Diseases 2019 (COVID-19) Situation and National Policy*"; the President of the Republic of the Philippines, His Excellency President Rodrigo Roa Duterte has been given with the authority to exercise power necessary and proper to carry out the declared national policy and for other purposes by the legislators but with a limited period and is subject to some restrictions;

WHEREAS, prior to the issuance of RA 11469, His Excellency President Rodrigo Roa Duterte has issued Presidential Proclamation No. 922, dated March 9, 2020 placing our nation under the State of Health Emergency and mandating all government agencies and LGUs for the immediate implementation of urgent and critical measures in order to prevent the spread of Corona Virus (COVID-19) and mitigate its effect and impact to the community and in consonance with the declaration of our nation under the State of Emergency, the Code Alert System for Covid-19 was raised to Code Red Sub Level 2 for the management of Emerging Infectious Diseases;

WHEREAS, Section 16 of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" provides that, "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for an efficient and effective governance together with those essential to the promotion of the general welfare of the community within their territorial jurisdiction;

WHEREAS, Local Government Unit's is also mandated to ensure the safety of the people by maintaining peace and order, promote the healthy conditions of the residents, improve public morals and preserve the comfort and convenience of their inhabitants;

WHEREAS, it is generally accepted that certain activities of the public would have to be regulated in the municipality in order to prevent the spread of Covid-19;

NOW, THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Arteche, Eastern Samar, that:

SECTION 1. TITLE- This Ordinance shall be known as "**AN ORDINANCE REGULATING OTHER ACTIVITIES AS ADDITIONAL MEASURES FOR THE PREVENTION OF THE SPREAD OF COVID-19 IN THE MUNICIPALITY ARTECHE, PROVINCE OF EASTERN SAMAR**".

SECTION 2. PURPOSE - These Rules are promulgated to promote public morale, maintain peace and order, safeguard public health and promote well-being of the community and to prevent the spread of COVID-19, due to pandemic.

SECTION 3. SCOPE OF POLICY - This Ordinance shall apply, whether natural or juridical, whether resident or not, found guilty within the territorial jurisdiction of Arteche, Eastern Samar.

SECTION 4. DEFINITION OF TERMS:

1. Prohibition - the act of prohibiting by authority, and order to restrain or stop.
2. Act - doing of a thing or process of doing something.
3. Curfew - a regulation enjoining the withdrawal of usually specified persons (such as juveniles or military personnel) from the streets or the closing of business establishments or places of assemblies as stated hour; and/or a requirement that someone (typically a child) be home by a particular time/the hour at which a curfew becomes effective.
4. COVID 19 - refers to the Corona Virus Disease 2019 which is caused by the virus known as the severe acute respiratory syndrome corona virus 2 (SARS-CoV-2).
5. Community Quarantine - refers to the restriction of movement within, into, or out of the area of quarantine of individuals, large group of people, or communities, designed to reduce the likelihood of transmission of COVID-19 among persons in and to persons outside the affected areas.
6. General Community Quarantine (GCQ) - refers to the implementation of temporary measures limiting movement and transportation, regulation of operating businesses or industries, and presence of uniformed personnel to enforce community quarantine protocols.
7. Social Distancing - also called "Physical Distancing" means keeping space between yourself and other people outside your home for not less than one (1) meter away from one person to another.
8. Crowd - a group or set of persons gathered closely together in one place.
9. Gathering - planned or spontaneous event where the numbers of people attending the event exceeds ten (10) persons.
10. General Public - members of the public who have no special role.
11. Community Service - unpaid work intended to be of social use that an offender is required to do instead of going to prison and/or paying cash equivalent to what is in the penal provision.
12. Wage - a fixed regular payment, typically paid on a daily or weekly basis, especially to a manual or unskilled worker who are usually paid "Three Hundred Pesos (Php300.00)" for an eight (8) hours service or daily rendered service/s.

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13. Manual Labour – a work done by a person or persons physically or manually.

SECTION 5. PROHIBITED/REQUIRED ACTS:

1. No one shall form a crowd or gathering at all times, whether in private or public places. Essential work gatherings and religious activities may continue so long as social distancing and wearing of face mask, face shield, or other facial protective equipment by the attendees is maintained during the entirety of the event.
2. "Social or Physical Distancing" of at least one (1) meter away must be observed at all times.
3. Curfew for the general public will be from 8:00pm to 5:00am, but during emergency cases especially on health issues, (like bringing patients to the hospital, visiting relatives/parents who are suffering from pain especially those who are between life and death) anybody could be allowed to go out during the prohibited period/time.
4. Grocery stores, public market, veterinary supply stores, drug stores and other retail establishments engaged in the business of selling essential goods are strongly encouraged to extend their store operations to a maximum of twelve (12) hours.
5. Businesses permitted to operate shall disinfect their places or establishments daily or with an hourly disinfection to the hand railings, door knobs, handles, tables, chairs, switches and all other surfaces or parts of their area often touched by persons.
6. For residential and commercial rents falling due within the duration of the GCQ upon residential leases and micro-small - and medium enterprises (MSMEs), and permitted to operate during same period, a grace period of thirty (30) days from the last due date, or until such time that the community quarantine is lifted shall be observed whichever is longer, without incurring interests, penalties, fees, or other charges.
7. Transport group shall only be allowed to enter within the municipal jurisdiction of Artech if they have proper travel documents and health certificate/s and/or clearances that they are fit to travel and free from COVID-19.
8. Checkpoints shall be established in all entry and exit areas of the municipality to avoid illegal entries and with the presence of PNP, Health Personnel together with Barangay Officials, BHW and Tanods who are assigned as officers of the day to check all the necessary documents of the in-coming visitors, balik probinsya program recipients, OFW and other residents who were on travel to places that are COVID-19 positive to avoid community transmission.
9. Hotel and restaurants serving dine-in costumers, bars, entertainment or similar establishments shall be allowed to operate provided they will observe proper distancing with at least one meter apart from every costumer and/or the management shall properly mark the available chairs to be occupied by the diners.

SECTION 6. PENAL PROVISION:

- Minor/s violating any part or parts hereof shall be imposed of a fine provided in this ordinance and failure to pay or render the corresponding penalty, parents or guardians of the violator will comply the penalty for and in behalf of their children.

SECTION 7. PENAL CLAUSE:

Any person/persons caught or found guilty shall be imposed of a fine of not less than One Thousand Five Hundred (PhP1, 500.00) Pesos but not more than Two Thousand Five Hundred (PhP2, 500.00 and/or violators unable to pay the corresponding amount as stated shall render manual labour or community service equivalent to the monetary penalty.

PENALTY:

1st Offense – A fine of not less than PhP1, 000.00 but not more than PhP1, 500.00 with an additional 3 hours of video showing for their awareness as conducted by the officers/front liners of the day. Non-payment or failure to pay the cash penalty, the offender shall render community service equivalent to the number of days at PhP300.00 per day until he/she can pay the full amount of PhP1, 000.00 penalty. ($1,000.00/300.00=3$ days and 6 hours)

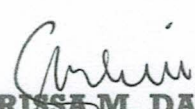
2nd Offense – A fine of not less than PhP1, 500.00 but not more than PhP2, 000.00 with another 3 hours of video showing for their awareness and failure to pay the penalty, violator/s shall render community service equivalent to the penalty at PhP300.00 per day. ($1,500.00/300=5$ days)


3rd and Succeeding Offenses – a fine of not less than PhP2, 500.00 or an imprisonment of not less than 2 months but not more than 5 months or both at the discretion of the Honourable Court.

SECTION 8. PERIOD OF IMPLEMENTATION:

This Ordinance shall be implemented during the existence of General Community Quarantine (GCQ) in the municipality until such time that the country is a COVID-19 free nation with available vaccine for the people.


ENACTED: JULY 6, 2020, ARTECHE, EASTERN SAMAR.


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APPROVED:


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Municipal Mayor

Date: 7/9/2020

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ATTESTED BY:


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