



Republic of the Philippines  
Province of Eastern Samar  
Municipality of Arteche

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Office of the Sangguniang Bayan

**AN ORDINANCE STRICTLY REQUIRING PERSON OR PERSONS TO WEAR FACE MASK IN PUBLIC AS PRECAUTINARY MEASURE TO COMBAT THE SPREAD OF COVID-19, IN THE MUNICIPAL JURISDICTION OF ARTECHE, PROVINCE OF EASTERN SAMAR AND PENALIZING VIOLATORS HEREOF.**

**MUNICIPAL ORDINANCE NO. 2020-02**  
Series of 2020

Introduced and Proposed by: **Hon. Natalio A. Orsal**  
Chairman, Committee on Public Safety & Order  
**Hon. Athena Erika C. Ocfemia, CPA**  
Co-Chairman, Comm. On Rules  
Unanimously Seconded

Seconder

**WHEREAS**, the country was placed under the state of Public Health Emergency through Proclamation No. 922 issued by the President of the Philippine Republic-Rodrigo Roa Duterte, mandating the Local Government Units 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 people;

**WHEREAS**, Section 16 of RA No. 7160 or the "Local Government Code of 1991" provides that "every local government unit shall exercise the 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 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**, due to the COVID-19 Pandemic, the DILG urges Local Government Units (LGUs) to pass an ordinance requiring their respective constituents to wear face masks in the public as precautionary measure to combat the spread of COPVID-19 and wearing face mask is one of the many ways that will prevent the spread of diseases and our personal protection in order not to acquire the pandemic and other infectious diseases while outside their homes attending some family necessities like the unavoidable going to the public market buying foods and vegetables for the family; in the groceries, drugstores and supermarkets which sometimes failed to observe the social distancing due to the very limited time allowed for them to stay in the area;

**WHEREAS**, using face masks will also protect the person from the transmission of any infectious diseases from infected person/persons especially those who are not practicing the social distancing in an establishment that maybe transmitted of the disease through the droplets from coughs and sneezes of the person infected of the COVID-19;

**WHEREAS**, enforcer's function is very limited that they cannot impose penalty to person/persons who are not wearing their face masks due to the absence of local ordinance and other similar laws and rules, requiring the community to wear it for their protection when they are outside their homes or in public, only to reprimand them by not wearing the face masks in public;

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

*[Signatures]* 1 | Page



**SECTION 1- TITLE.** This Ordinance shall be known as "AN ORDINANCE REQUIRING PERSON OR PERSONS TO WEAR FACE MASK IN PUBLIC PLACES AS PRECAUTIONARY MEASURE TO COMBAT THE SPREAD OF COVID-19, IN THE MUNICIPAL JURISDICTION OF ARTECHE, PROVINCE OF EASTERN SAMAR"

**SECTION 2. PURPOSE** – This Ordinance is enacted in order to protect the health of the people to transmit and acquire infectious diseases from infected person or persons and to control and/or stop the spread of COVID-19 in our area of responsibility.

**SECTION 3. SCOPE OF POLICY** – This Ordinance shall apply to all person or persons in the community and within the territorial jurisdiction of Arteche, Eastern Samar.

**SECTION 4. DEFINITION OF TERMS:**

- a. **Face Mask** – a mask or protective covering for the face; any material covering the face, mouth and nose to protect from transmission and at the same time acquiring infectious diseases.
- b. **Protection** – anything that protect a person from harm; or any material used to protect yourself from any danger or harm due to spread of infectious diseases.
- c. **Infectious diseases** – contagious bacteria, viruses (diseases) capable of spreading rapidly.
- d. **Public Places** – mean 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 establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also include outdoor spaces where facilities are available to the public or where a crowd of people would gather, such as but not limited to playgrounds, sports grounds or centers, church grounds, barangay, municipal or national roads, health hospital compounds, transportation terminals, markets resorts, walkways, entrance ways, waiting areas and the like.

**SECTION 5. ENFORCEMENT-** A Task Force shall be created for the enforcement and strict implementation of this Ordinance. Violators will be issued with a Citation Ticket by an authorized member and or officer of the Task Force of the municipality created by virtue of an Executive Order issued by the Municipal Mayor in accordance with the herein stated penalty.

**SECTION 6. PROHIBITED ACTS:**

1. Staying in Public Places without wearing mask that will cause the transmission of infectious diseases to some and acquiring the same due to non-wearing of face mask.
2. All person/s, non-residents of the municipality and visitors not wearing face mask will also be imposed of a fine not exceeding to what is provided in the penal provision.

**SECTION 7. PENAL PROVISION-** Any person or persons who commits any of the prohibited acts will be imposed of a fine of the following:

1. A fine of not less than Php500.00 but not more than Php1, 000.00 for the 1<sup>st</sup> offense;
2. A fine of not less than Php1, 200.00 but not more than Php2, 000.00 for the 2<sup>nd</sup> offense; and
3. A fine of not less than Php2, 000.00 but not more than Php2, 500.00 for the 3<sup>rd</sup> and succeeding offenses or an imprisonment of not less than 3 months or both fine and imprisonment at the discretion of the honorable court.

**SECTION 8. REPEALING CLAUSE-** All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.



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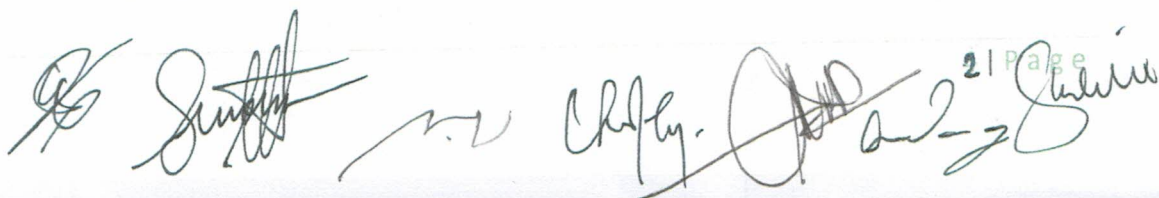
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**SECTION 9. SEPARABILITY CLAUSE-** If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provision hereof.

**SECTION 10. EFFECTIVITY CLAUSE-** This Ordinance shall take effect immediately.

**UNANIMOUSLY ENACTED: APRIL 6, 2020, ARTECHE, EASTERN SAMAR.**


  
**RALPH ADRIAN T. RAMOS**  
Senior SB Member

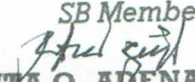
  
**MARISSA M. DALIT**  
SB Member

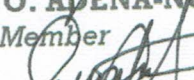
  
**ANTONIO, JR. B. EVARDONE**  
SB Member


  
**NATALIO A. ORSAL**  
SB Member

  
**ADULF M. PAJANIUSTAN**  
SB Member

  
**GEORGE E. PAJANIUSTAN**  
SB Member


  
**RESTITUTA O. ADENA-NUGUIT**  
SB Member

  
**JERICO S. MOSCOSA**  
SB Member


  
**CHARLIE ISIDRO M. OPERARIO**  
ABC President/Ex-Officio Member

  
**ATHENA ERIKA C. OCFEMIA, CPA**  
SK Federation President

**CERTIFIED CORRECT:**

  
**ROLANDO B. EVARDONE, DMD**  
Municipal Vice-Mayor/Presiding Officer

**APPROVED:**

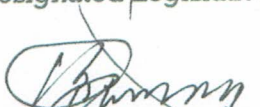
  
**ROLAND BOIE M. EVARDONE, RN**  
Municipal Mayor

Date: 4/14/2020


**PREPARED BY:**

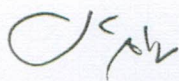
  
**MYRA O. CAPATI**  
RCC 1/Designated Legislative Staff

**ATTESTED:**

  
**RITA P. ORRIO-OPERARIO**  
SB Secretary

RECEIVED BY:

  
VAN BANNEN D. BENAVENTE  
04-14-2020

  
04/14-2020