

ABSENT: NONE

CITY ORDINANCE NO. 2021-01-002

OMNIBUS AMENDMENTS TO CITY ORDINANCE NO. 2020-04-014, OTHERWISE KNOWN AS "EMERGENCY ORDINANCE ADDRESSING THE CORONA VIRUS DISEASE OF 2019 (COVID-19) PUBLIC HEALTH EMERGENCY AND OTHER RELATED MATTERS.", AS AMENDED BY CITY ORDINANCE NO. 2020-08-028.

(Sponsored by: Hon. Jose L. Pantoja, Jr.)

SECTION 1. TITLE. This ordinance shall be known as the "COVID-19 Emergency Ordinance of 2020".

SECTION 2. SCOPE AND APPLICATION. This Ordinance shall apply to the COVID-19 public health emergency and all matters stemming from its effects, as well as the implementation of measures to prevent/contain its spread in the City of Tangub.

SECTION 3. DONNING OF PROTECTIVE FACE MASKS AND FACE SHIELDS. Every natural person, upon exiting the threshold of his/her house or residence, shall wear protective face masks or other protective gear which shall cover both his/her nose and mouth at all times in public places.



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CITY OF TANGUB
SANGGUNIANG PANLUNGSOD
Tel No. 0986-249-2249
Email: info_tangub@philcom.com
www.sanggunianguibajabon.gov.ph



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For the purpose of this Ordinance, protective masks¹ shall refer to any face mask that covers the nose and mouth such as, but not limited to, surgical masks, N95 masks, ear-loop masks, indigenous, reusable or do-it-yourself masks, handkerchiefs, or such other protective equipment that effectively lessen the transmission of COVID-19. Public places² shall refer generally to an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, such as public markets, supermarkets, department stores, public plazas, churches, malls, pharmacies, government buildings and offices as well as common carriers and public conveyances (*Public Utility Jeepsneys, Buses, Vans, among others*). It does not include, however, a place when it is exclusively used by one or more individuals for a private gathering or other personal purpose.

All persons going out and coming in through the COVID-19 Protection Stations, or other community checkpoints, as allowed by law, shall be required to wear protective masks of whatever kind.

Pursuant to the Department of Transportation's Memorandum Circular No. 2020-014³ and Resolution No. 88 of the National IATF, all persons are mandated to wear full-coverage face shields together with face masks, earloop masks, indigenous, reusable, or do-it-yourself masks, or other facial protective equipment which can effectively lessen the transmission of COVID-19, whenever they go out of their residences and when commuting through public utility vehicles.

Face shields need not be worn during permitted forms of exercise (outdoor non-contact sports and other forms of exercise such as but not limited to hiking in rubber shoes, including employees coming from private or public establishments going to or coming from their respective work places, jogging, dog walking, running, biking, golf, swimming, tennis, badminton, equestrian, range shooting, diving, and skateboarding), as well as in situations or activities where a clear field of vision is required or necessary to minimize and/or prevent danger to life, limb or property (driving motor vehicles, operating heavy equipment, and the like), provided, that the minimum public health standards such as the wearing of masks and the maintenance of social distancing protocols, and no sharing of equipment, where applicable, are observed.

SECTION 4. STRICT OBSERVANCE OF MINIMUM PUBLIC HEALTH STANDARDS.

All persons and establishments, public or private, in Tangub City shall strictly comply with the following minimum public health standards as stipulated in the Department of Health (DOH) Administrative Order No. 2020-015:

- a. Wearing of face masks and/or face shields, as provided under Section 3 hereof;
- b. Frequent handwashing for at least 20 seconds with soap and running water;
- c. Procurement of contactless thermal scanners;
- d. Provision washing areas and hand sanitizers;
- e. Social distancing of at least one (1) meter;
- f. Installation of foot baths;⁴



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EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE 15th
 SANGGUNIANG PANLUNGSOD OF TANGUB CITY HELD ON JANUARY 21, 2021
 AT 1:30 P.M. AT THE ASPIRACION HALL (SP SESSION HALL), TANGUB CITY.

PRESENT:

Hon. Alberto C. Peñas	City Vice Mayor <i>Presiding Officer</i>
Hon. Wilma R. Canama	City Councilor <i>Presiding Pro tempore</i>
Hon. Filoteo C. Alngohuro	City Councilor
Hon. Beatriz G. Florida	City Councilor
Hon. Eva R. Ordeniza	City Councilor
Hon. Gerry L. Anggot	City Councilor
Hon. Jose L. Pantoja, Jr.	City Councilor
Hon. Emigdio E. Florida, Sr.	City Councilor
Hon. Raul O. Patulada	City Councilor
Hon. Valentin P. Ombina	City Councilor
Hon. Mary Grace D. Tabalba	ABC President /City Councilor
Hon. Philip Jon Axel G. Yonting	SK Federation President/City Councilor

RESIGNED:

Hon. Edemar S. Alota	City Councilor
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shall be construed as criminal and violative of their constitutional rights.

SECTION 7. MASS GATHERING PROTOCOL. All mass gatherings of ten (10) persons or more, such as, but not limited to flag raising ceremonies women's day celebration, Graduation and Moving up rites, festivals, discos, Medical Missions, Cock Fighting, Alumni Homecoming, Seminars, Reunions, Sport Events, religious gatherings, and other analogous activities, shall be prohibited except only when permitted by the City Government of Tangub.

Barangay Assemblies shall only be conducted for COVID-19 related purposes, and with prior coordination with, and permission of, the City Government of Tangub.

National Government Agencies, Non-Governmental Organizations, private entities, and other local government units intending to conduct mass gatherings in Tangub City shall formally coordinate with, and secure the permission of, the City Government of Tangub before conducting any program, gathering and/or activity within the territorial jurisdiction of Tangub City, through a letter of intent personally delivered to the City Government at least three (3) days prior to the program, gathering and/or activity, addressed to the City Mayor of Tangub, indicating, among others, the date, the time, the venue, the venue capacity, the target beneficiaries, the personnel involved, requests for assistance, and such other details that would ensure a safe, peaceful and orderly conduct of the program or activity, in the following manner or similar herewith:

"Dear Mayor _____:

We respectfully request your permission to conduct a _____ (program description) _____ for _____ (program purpose) _____ with the following details:

Date: _____

Time: _____



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Tel No. 098-545-0248
Email: coo_tangub@yahoo.com
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Target Beneficiaries: _____

Venue: _____

Venue Capacity: _____

Number of Participants: _____

Number of Personnel: _____

Requests for Assistance: _____

Your favorable response will greatly be appreciated.

Sincerely yours,

SGD

(Organizer/Activity Proponent/Establishment Owner)"

For those entities/persons holding mass gatherings at the Sinanduloy Theater and/or other facilities of the City they shall, in addition to the abovementioned requirements, coordinate with the City Tourism Officer by furnishing the latter a copy of their letter of intent.

Participants and personnel involved in the mass gathering, program or activity shall be limited to fifty percent (50%) of the venue capacity. Organizers, program proponents and/or establishment owners shall (a) indicate in the letter of intent the number of allowable participants comprising the fifty percent (50%) capacity of the venue, (b) render the venue available for inspection by the City Tourism Office and/or the Tangub City COVID-19 Task Force at any time within office hours before the activity, and (c) make arrangements to accommodate a member of the Task Force who shall sit in and observe the conduct of the activity for compliance with health protocol. The City Government of Tangub has the discretion to require the placement of positional markers at the venue to aid in ensuring social distancing among participants.

Organizers, activity proponents and/or establishment owners are mandated to provide facilities and personnel for temperature checks through non-contact thermometers, hand sanitizers, hand washing stations, foot baths, segregated waste receptacles, and health protocol signages at the venue during the activity or gathering. They shall likewise provide the City Health Office a seat plan and list of participants within 12 hours after conducting the activity/gathering.

Failure of organizers, activity proponents and/or establishment owners to exhibit the letter of intent and/or official communication from the City Government of Tangub in support of the conduct of a mass gathering, activity or program, and/or flagrant violation of minimum public health standards shall constitute sufficient ground for the Tangub City COVID-19 Task Force, the Philippine National Police (PNP) and/or the Keepers for Peace and Rescue Team (KPART) to effect immediate suspension of the gathering, activity or program, subject to proper documentation of any violation and/or infractions, with deference to the procedure that shall be formulated and adopted by the Tangub City COVID-19 Task Force through a resolution to that effect.



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- First Offense** - a fine of Php 1000.00 and/or imprisonment for one (1) day.¹³
- Second Offense** - a fine of Php 2000.00 and/or imprisonment for three (3) days;
- Third Offense** - a fine of Php 5,000.00 and/or imprisonment for ten (10) days;

Provided, that first violations of Sections 6, 8, 9, 10, 11, 12 and 13¹⁴ of this Ordinance shall immediately be considered as¹⁵ the Third Offense;

Provided further, that violations of Section 6, 7 and 8 of this Ordinance committed by a public or private health facility, institution, agency, corporation, school, or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, or such other officer in charge shall be held liable. In addition, the business permit and license to operate of the concerned facility, institution, agency, corporation, school, or legal entity may be suspended and/or cancelled¹⁶ in the following manner:

FIRST OFFENSE: maximum 30 days suspension, upon recommendation of the Tangub City COVID-19 Task Force

SECOND OFFENSE: maximum of six (6) months suspension, upon recommendation of the Tangub City COVID-19 Task Force

THIRD OFFENSE: Cancellation of permit and/or license.

(Violations of Section 6 and 8 of this Ordinance shall merit immediate cancellation of permit and/or license.)

Licenses and permits cancelled under this Ordinance may be reapplied for after 1 year from cancellation.

Provided furthermore, that violations of this Ordinance shall continue to be prosecuted and litigated to completion, regardless of the cessation of the period of effectivity of this Ordinance;

Provided further still, that this Ordinance shall be without prejudice to the prosecution of the violator for offenses under national laws and/or issuances, insofar as applicable, subject to the violator's constitutional rights.

SECTION 20. COMPROMISE. The violator has the option to enter into a compromise with the local government by paying the administrative fine in the amount of Php 500.00 for the first offense, Php 1,500.00 for the second offense, and Php 4,000.00 for the third offense¹⁷ and by signing a compromise agreement to that effect, subject to further commutation by the City Legal Officer of the compromise penalty for verified valid excuses and/or humanitarian considerations, upon the approval of the City Administrator or the City Mayor.

