



Republika ng Pilipinas

Lungsod ng Caloocan



TANGGAPAN NG SANGGUNIANG PANLUNGSOD
ORDINANCE NO. 0887 S. 2020
(PROPOSED ORDINANCE NO. 11-108)

AN ORDINANCE PENALIZING VIOLATIONS OF EXECUTIVE ISSUANCES IMPLEMENTING QUARANTINE RULES AND REGULATIONS IN CALOOCAN CITY, AMENDING FOR THE PURPOSE SECTION 4 OF ORDINANCE NO. 0865 S. 2020 ALSO KNOWN AS THE "STAY-AT-HOME ORDINANCE".

SPONSORED BY:

Hon. MA. MILAGROS "ROSE" S. MERCADO
and Hon. VINCENT RYAN "ENTENG" MALAPITAN

CO-SPONSORED BY:

Hon. CARMELO F. AFRICA III, Hon. DEAN ASISTIO, Hon. ANNA KARINA TEH-LIMSICO
Hon. CHRISTOPHER E. MALONZO, Hon. MARYLOU "ALOU" NUBLA
Hon. EDGARDO N. ARUELO, Hon. LUIS. O. ASISTIO III
Hon. RICARDO J. BAGUS, Hon. ALEXANDER V. MANGASAR, , Hon. ROBERTO R. SAMSON
Hon. ORVINCE HOWARD A. HERNANDEZ and Hon. JOSE LORENZO T. ALMEDA

WHEREAS, on 15 April 2020, the Sangguniang Panlungsod of Caloocan City issued **Ordinance No. 0865 s. 2020** ("An Ordinance Adopting The Community Quarantine Guidelines, Rules And Regulation Mandated By The Inter-Agency Taskforce For The Management Of Emerging Infectious Diseases (IATF), And Other National Agencies, Requiring Its Strict Implementation In The City Of Caloocan, And Providing Penalties For The Violation Thereof.") to expressly adopt all the community quarantine guidelines, rules and regulations mandated by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and other national government agencies, and provide for penalties for violation thereof;

WHEREAS, in March 2020, after the City was placed under Enhanced Community Quarantine, the barangays in Caloocan, in the exercise of the power and authority under Sec. 16, R.A. 7160, implemented a quarantine pass system to properly enforce community quarantine in their respective jurisdictions;

WHEREAS, the quarantine pass system allowed the local government to effectively enforce quarantine rules especially during the ECQ period;

WHEREAS, in May 2020, President Rodrigo Duterte adopted the Inter-Agency Task Force for the Management of Emerging Infectious Diseases Resolution No. 41 dated 29 May 2020 which placed all Highly Urbanized Cities (HUCs) in the National Capital Region under General Community Quarantine (GCQ) effective 01 June 2020 to 15 June 2020, among others;

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WHEREAS, Sec. A (4) of IATF Resolution No. 41 provides that all provinces, HUCs shall observe the enforcement of minimum public health standards and strict localized community quarantine in priority areas;

WHEREAS, even as IATF Resolution No. 41 placed the NCR under GCQ, Sec. A (3) thereof still classified all Highly Urbanized Cities in NCR, including Caloocan City, as COVID-19 "high risk areas;"

WHEREAS, after NCR was put under GCQ and with the relaxation of the quarantine pass system, there was marked increase of the number of persons in public areas, including among those population groups mandated to remain at homes at all times, resulting to the continued rise of COVID-19 transmissions in Caloocan City;

WHEREAS, on 02 August 2020, President Rodrigo Duterte directed that the National Capital Region be put under modified enhanced community quarantine effective 04 August 2020 due to the continued and unabated increase in COVID-19 infections;

WHEREAS, the local government remains at the frontline in the implementation and enforcement of IATF community quarantine guidelines, rules and regulations, and other related national government issuances;

WHEREAS, the City Health Department and Caloocan barangay officials have recommended the implementation of City wide quarantine pass system to ensure the proper and effective enforcement of quarantine guidelines, rules and regulations;

WHEREAS, in the exercise of its powers and authority under the Local Government Code, the City Mayor has issued executive issuances mandating the implementation Quarantine Pass system for the purposes of effectively implementing IATF rules and regulation within the City of Caloocan;

WHEREAS, there is a need to strengthen the enforcement of quarantine rules implemented via executive measures by expressly providing penalties for violations therefor.

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF CALOOCAN, IN A SESSION DULY ASSEMBLED THAT:

AN ORDINANCE PENALIZING VIOLATIONS OF EXECUTIVE ISSUANCES IMPLEMENTING QUARANTINE RULES AND REGULATIONS IN CALOOCAN CITY, AMENDING FOR THE PURPOSE SECTION 4 OF ORDINANCE NO. 0865 S. 2020 ALSO KNOWN AS THE "STAY-AT-HOME ORDINANCE".

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Section 1. Amendment of Section 4 of Ordinance No. 0865 s. 2020. Section 4 of Ordinance No. 0865 s. 2020, as amended by 0885 is hereby amended as follows:

"SECTION 4. PROHIBITED ACTS. Unless expressly allowed or exempt under community quarantine rules and regulations issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) and relevant national government agencies, or under local ordinance or executive issuance, any person found outside his residence shall be penalized as follows:

First Offense - One Thousand Pesos (Php 1,000.00) or imprisonment of three (3) days;

Second Offense - Three Thousand Pesos (Php 3,000.00) or imprisonment of five (5) days;

Third/Succeeding Offenses - Five Thousand Pesos (Php 5,000.00) or imprisonment of seven (7) days, at the discretion of the Court.

In case the person found outside of residence is a child, the penalties herein provided shall be imposed upon the parent or guardian of such child. For this purpose, the following words shall have the following meaning:

A "child" is a person under eighteen (18) years of age.

A "parent" shall mean the biological parent or legal adoptive parent of the child.

A "guardian" is (i.) a person who under court order is the guardian of a child or under whom custody of the child is placed; or (ii.) a person at least eighteen (18) years of age in charge of the custody and care of a child, whether a relative or not, and whether authorized by the parent or guardian or not.

Section 3. Separability. - In case any provision of this Ordinance or any portion thereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

Section 4. Repealing Clause. - All ordinance, executive orders, rules and regulations insofar as they are inconsistent with this Ordinance, are hereby repealed or amended as the case may be.


Section 5. Effectivity. - This Ordinance shall take effect the immediately.




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ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF CALOOCAN IN ITS REGULAR SESSION HELD ON THE 5TH DAY OF AUGUST 2020.


HON. CARMELO F. AFRICA III
CITY COUNCILOR



HON. EDGARDO N. ARUELO
CITY COUNCILOR


HON. DEAN ASISTIO
CITY COUNCILOR


HON. LUIS O. ASISTIO III
CITY COUNCILOR



HON. ANNA KARINA TEH-LIMSICO
CITY COUNCILOR


HON. RICARDO J. BAGUS
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HON. VINCENT RYAN "ENTENG" MALAPITAN
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CITY COUNCILOR


HON. ROBERTO R. SAMSON
CITY COUNCILOR


HON. JOSE LORENZO T. ALMEDA
CITY COUNCILOR


HON. ORVINCE HOWARD A. HERNANDEZ
CITY COUNCILOR

APPROVED BY HIS HONOR, THE CITY MAYOR ON _____, 2020.

APPROVED BY:

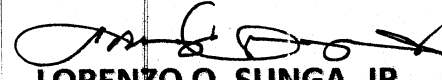
CERTIFIED BY:

HON. OSCAR G. MALAPITAN
City Mayor


HON. LUIS MACARIO E. ASISTIO
City Vice Mayor and Presiding Officer

ATTESTED BY:

LILIBETH M. LUAKIAN
Secretary to the Mayor


LORENZO O. SUNGA, JR.
Secretary
Sangguniang Panlungsod