

ORDINANCE NO. 2020 - 287

ORDINANCE IMPLEMENTING THE CITY WIDE CURFEW TO ALL PERSONS AND NON-ESSENTIAL ESTABLISHMENTS, WITHIN THE TERRITORIAL JURISDICTION OF CITY OF CAUAYAN, ISABELA FROM 8:00 PM TO 5:00 AM, FOR THE PURPOSE OF THE STRICT IMPLEMENTATION OF ENHANCED COMMUNITY QUARANTINE DUE TO COVID - 19 THREAT.

EXPLANATORY NOTE

WHEREAS, the President of the Republic of the Philippines has issued Proclamation No. 922 placing the entire country under a State of Public Health Emergency due to the Corona Virus Disease (COVID - 19);

WHEREAS, the World Health Organization (WHO) has, likewise, declared the COVID - 19 as a public health emergency of international concern;

WHEREAS, the Secretary of the Department Health (DOH) has issued an advisory recommending the cancellation of bug events and mass gatherings and has advised the continuation of self-protection measures;

WHEREAS, the Office of the Provincial Governor of Isabela has given the Local Chief Executives of the various cities and municipalities of the province the discretion to issue suspension of classes upon valid legitimate concerns and upon proper consultation, hence, the need to occasionally seek guidance from concern school and health authorities on the declaration and duration of the suspension/cancellation of classes;

WHEREAS, as a precautionary measure to prevent the possible risk of loss of lives, and taking notice of the local government's duty to promote the general welfare of its inhabitants;

WHEREFORE

BE IT ENACTED by the Sangguniang Panlungsod of the City of Cauayan, Isabela, in session duly assembled:

SECTION 1. TITLE - This Ordinance shall be known as "An Ordinance implementing the city wide curfew to all persons and non-essential establishments, within the territorial jurisdiction of City of Cauayan, Isabela from 8:00 PM to 5:00 AM, for the purpose of the strict implementation of enhanced community quarantine due to COVID - 19 threat".

SECTION 2. DECLARATION OF POLICY - it is declared the policy of the City Government not only to promote discipline and proper conduct to its constituents, most especially to the juvenile sector but also to adopt measures as would effectively promote the welfare of its inhabitants and protect the health, safety and the proper maintenance of peace and order.

SECTION 3. DEFINITION OF TERMS - for purpose of this ordinance:

1. **CURFEW HOURS** - means hours prohibiting all persons to remain or stay in public places without legal for justifiable reason from 8:00 PM to 5:00 AM in the morning of the following day.
2. **ESSENTIAL ESTABLISHMENTS** - establishments providing basic necessities and such activities are allowed to remain open during the quarantine period such

as medical services, financial services and retail & wholeselling (pubic markets, supermarkets, groceries and convenience store).

3. **LAW ENFORCEMENT OFFICER** – a government employee appointed who is responsible for the prevention, investigation, apprehension and detention of individuals suspected or convicted of offenses against criminal laws.
4. **NON-ESSENTIAL ESTABLISHMENTS** – are generally recreational in nature such as theaters, gyms and recreation centers, salons and spas, museums, casinos and racetracks.
5. **PERSONS** – is a being that has certain capacities or attributes such as a reason, morality, consciousness or self-consciousness, and being part of a culturally established form of social relations such as kinship, ownership of property or legal responsibility.
6. **PUBLIC PLACES** – is generally 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, but not a place when used exclusively by one or more individuals for a private gathering or other personal purpose.
7. **RESIDENTS** – persons who lives somewhere permanently or on a long-term basis.

SECTION 4. CURFEW HOURS – the city wide curfew for all persons shall be from 8:00 PM to 5:00 AM.

SECTION 5. SCOPE AND COVERAGE – this shall apply to all persons loitering within the time provided in Section 4 within the territorial jurisdiction of the City of Cauayan, Isabela, especially in public places. This shall include resident and non-resident of Cauayan City, frequently caught hanging in videoke, bars, video arcades, computer shops, malls. Amusement centers and the like.

SECTION 6. APPREHENDING OFFICERS – the following shall be tasked to implement the provisions of this ordinance:

- 6.1 Barangay Officials
- 6.2 Barangay Tanods
- 6.3 Philippine National Police
- 6.4 Public Order and Safety Division

SECTION 7. PENAL PROVISION –

1 st Offense	-	₱500.00
2 nd Offense	-	₱3,000.00 + six (6) months community service and quarantine of 24 hours
3 rd Offense	-	₱5,000.00 or Imprisonment of two (2) months but not exceeding one (1) year

SECTION 8. EXCEPTIONS –

- 8.1 Hospitals
- 8.2 Pharmacies
- 8.3 Government Offices

SECTION 9. NO CONTEST CLAUSE – Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within the six (6) hours for apprehension otherwise the case shall be prosecuted.

For the second and/or subsequent offenders, the minimum fine will be charged to him.

SECTION 10. REPEALING CLAUSE – All provisions of ordinances, resolutions and orders contrary or inconsistent with the ordinance are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY PROVISIONS – If any part, section or provisions of this ordinance shall be held invalid or unconstitutional, no other parts, section or provisions hereof, shall be affected thereby.

SECTION 12. EFFECTIVITY AND AUTOMATIC DISSOLUTION CLAUSE – This ordinance shall take effect upon its approval and publication for three (3) consecutive days in a newspaper of general or local circulation. This ordinance shall be deemed automatically dissolved and without effect immediate after the State of Public Health Emergency due to COVID – 19 has been lifted by proper authorities.

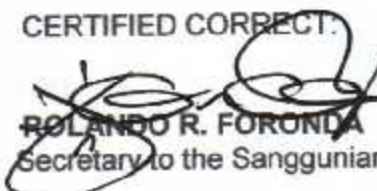
ENACTED UNANIMOUSLY


RESOLVED FINALLY, to furnish copies of this resolution to Hon. Bernard Faustino M. Dy, City Mayor; Atty. Emmanuel D. Marquez, City Legal Officer; Atty. Reina Consorcia M. Santos, City Information Communication and Technology Officer; Mr. Carlito B. Andres, City Treasurer; Ms. Divina B. Ramirez, City Accountant; Mr. Virgilio L. Trinidad, Jr., City Budget Officer; Mrs. Lolita C. Menor, City SWDO; PLC Gerald P. Gamboa, Chief of Police; Mr. Pilarito R. Mallillin, Chief POSD; Mr. Raul R. Melegrito, CLGOO, DILG; all 65 Punong Barangays, all of City of Cauayan, Isabela. And the Sangguniang Panlalawigan, Provincial Capitol, Ilagan City, Isabela, for their information and appropriate action.

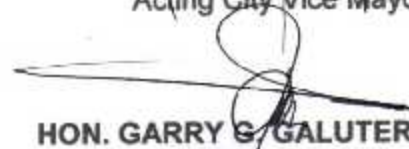
ENACTED AND APPROVED:

March 25, 2020.

CERTIFIED CORRECT.


ROLANDO R. FORONDA
Secretary to the Sanggunian


HON. CYNTHIA Q. UY-BALAYAN
Acting City Vice Mayor


HON. GARRY S. GALUTERA
City Councilor



HON. EDGAR M. DE LUNA
City Councilor


HON. TELESFORO R. MALLILLIN
City Councilor


HON. DANILO B. ASIRIT
City Councilor


HON. RUFINO C. ARCEGA
City Councilor


HON. ARIEL KENNETH V. UY
City Councilor


HON. VICTOR H. DY, JR.
City Councilor/LNB President




HON. PAUL VINCENT R. MAURICIO
City Councilor




HON. CAESAR S. DY, JR.
City Councilor/Sectoral Representative



HON. BAGNOS R. MAXIMO, JR.
City Councilor




HON. FAUSTINO M. GAPASIN, JR.
City Councilor/Sectoral Representative




HON. CHARLENE JOY B. QUINTOS
City Councilor/SKF President

ATTESTED:



HON. EDGARDO A. ATIENZA, JR.
City Councilor/Presiding Officer Pro Tempore

APPROVED:



HON. LEONCIO A. DALIN, JR.
Acting City Mayor
March 25, 2020

Date