



EXCERPT FROM THE MINUTES OF THE 50TH REGULAR SESSION AND 1ST ONLINE SESSION OF THE 4TH SANGGUNIANG PANLUNGSOD (SP), CITY OF NAGA, CEBU ON JUNE 17, 2020.

PRESENT:

- | | |
|------------------------------|--|
| HON. VIRGILIO M. CHIONG | - Vice Mayor /Presiding Officer |
| HON. JUSTINO L. DAKAY | - Majority Floor Leader |
| HON. SCOTT JUVENAL A. CHIONG | - Assistant Majority Floor Leader/Liga ng mga Barangay President |
| HON. AURELIO B. ALINSONORIN | - Sangguniang Panlungsod Member |
| HON. AFSHIN MARK K. SEÑOR | - Sangguniang Panlungsod Member |
| HON. CHARMAINE R. NAVARRO | - Sangguniang Panlungsod Member |
| HON. PORFERIO V. RESABA, JR. | - Sangguniang Panlungsod Member |
| HON. DOMINADOR A. LIBOR | - Sangguniang Panlungsod Member |
| HON. LUZMINDA R. LAPITAN | - Sangguniang Panlungsod Member |
| HON. LETECIA F. ABANGAN | - Sangguniang Panlungsod Member |
| HON. RAY A. MANABAT | - Sangguniang Panlungsod Member |
| HON. JHUN MARK T. SISMAR | - SK Federation President |

ORDINANCE NO. 2020-29

Hon. Luzminda R. Lapitan - Sponsor
Chairperson, Committee on Public Health and Sanitation

AN ORDINANCE REQUIRING THE MANDATORY WEARING OF FACE MASK AND THE IMPLEMENTATION OF PHYSICAL DISTANCING AS PART OF THE NEW NORMAL MEASURES AGAINST COVID-19 PANDEMIC

EXPLANATORY NOTE

Various measures have been taken at all levels of the international community, organizations and governments, national and local governments to address and contain the spread of Coronavirus Disease 2019 (COVID-19) pandemic.

The whole Philippines is under the State of Public Health Emergency and subsequently, under a State of Calamity.

The local community of the City of Naga, Cebu has undergone stages of community quarantine by virtue of the guidelines and policy pronouncements of the Inter-Agency Task Force on the Management of Emerging Infectious Diseases (IATF-MEID), the implementing Executive Orders of: Cebu Provincial Governor Gwendolyn F. Garcia, former City of Naga Mayor Valdemar M. Chiong and incumbent City of Naga Mayor Kristine Vanessa T. Chiong.

The City's first-hand efforts in terms of preventive and corrective actions to rid the local community of the adverse effects of COVID-19 not only as a health concern but to adopt a whole-of-the-community approach to address the pandemic's social, cultural, economic, health and spiritual impact.

Cognizant of the fact that in order for the community to survive in the long-term, there is a need to shift paradigm from community quarantine approach to lifting restrictive movements and combat COVID-19 hand-in-hand with taking care of the holistic day-to-day needs of the community.

Thus, City Mayor Kristine Vanessa T. Chiong issued Executive Order No. 107, Series of 2020, creating the City of Naga Task Force New Normal. There is a need to sustain and institutionalize the city's efforts on how to move forward with the day-to-day way of life amidst the threat of COVID-19.

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The City Task Force New Normal, chaired by former city councilor and now city consultant, Dr. Carmelino N. Cruz, Jr., with heads of frontline LGU departments, representatives of business, religious and transport sectors, respectively, as members, has recommended, among others, measures and new norms of conduct which are universally accepted practices that will mitigate COVID-19 contamination even as the members of the local community continue with the day-to-day way of life.

Due to the immense importance and need, the City Mayor, in accordance with R.A. 7160 otherwise known as the Local Government Code of 1991, has certified the foregoing legislative measure as URGENT.

BE IT ORDAINED, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Naga, Cebu, in a session duly assembled, that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the **"MANDATORY FACE MASK AND PHYSICAL DISTANCING ORDINANCE OF THE CITY OF NAGA, CEBU."**

SECTION 2. COVERAGE. All persons, natural and juridical, within the territorial jurisdiction of the City of Naga, Cebu, shall be covered by this Ordinance.

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms are hereby defined:

- a. **Face Mask** - any reusable or disposable material made of any cloth, fabric, polypropylene, polystyrene, polycarbonate, polyethylene, or polyester or other breathable material worn to cover the nose and mouth which can serve as a protection or barrier against possible infection from COVID-19 and other transmittable viruses or communicable diseases. They shall include surgical mask, cloth mask, handkerchief, washable mask, N95 mask, among others.
- b. **New Normal** - refers to the way of life/day-to-day living/conduct of activities of the different sectors of the Nagahanon community after all quarantine restrictions are lifted by authorities, with COVID-19 still hovering about, sans vaccine or specific viral medication for the affected Nagahanons.
- c. **Physical Distancing** - also known as Social Distancing, refers to the open/available space, gap, distance, radius of at least one (1) meter between two persons at any given time, whether indoor or outdoor. The one (1) meter physical distancing requirement may change or increased, subject to policy pronouncement of the Department of Health (DOH) or the City Mayor upon recommendation of the City Health Office (CHO).
- d. **Isolation Facility** - refers to the suitable place in a person's home or in a city-managed facility that will serve as quarters/place to stay for a medically-prescribed period of time to a person or persons exhibiting symptoms of cough and/or fever as well as other illnesses or symptoms related to COVID-19 as the City Health Officer may determine.

SECTION 4. MANDATORY WEARING OF FACE MASK AND IMPLEMENTATION OF PHYSICAL DISTANCING. Every person is required to wear face mask at all times, observe physical distancing with the next person/s, including when outside of his residence, outdoors, in all open and/or enclosed areas, at bus/jeepney stops, inside public utility buses and vehicles, at the workplace, in a

government building and/or office, public market, supermarket, hospital, clinic, church or place of worship, school, any commercial or business establishments offering goods or services, as well as any public or private building with two or more people inside the premises.

- a. Where there are handwashing or hand-sanitizing facilities available, every person shall clean his hands properly. He shall also subject himself to disinfection protocols imposed by public, commercial, educational, religious, private or any establishment where he is heeded to.
- b. For public transportation allowed to operate under existing laws and with permits from the Department of Transportation (DOTr), Land Transportation Office (LTO), Land Transportation Franchising and Regulatory Board (LTFRB) and City Franchising Office, as the case may be, compliance to installation of physical partition and/or seating arrangement and seating capacity, including the provision of temperature check, foot bath for buses, shall form part of the requirements of this Ordinance for all intents and purposes.

SECTION 5. PROVISION OF FACILITIES AND MARKERS. Every public, commercial, religious, educational, private building or outdoor facility in the City of Naga shall have provisions for handwashing and/or hand-sanitizing facilities, disinfectant foot baths, and where practicable, separate designated entrance and exit doors. Information, Education and Communication (IEC) materials shall be displayed in conspicuous places inside and outside the building/facility premises. There shall also be clear floor lines or markers to designate proper physical distance in queues.

- a. **Carrying Capacity Of A Building Or Facility.** For physical distancing, the carrying capacity of a building shall be that will assure its management that at least one (1) meter radius from one person, including organic workforce, to another is observed, whether in static or moving state.
- b. **Designation of Waiting Areas.** With the welfare of the transacting public and/or organic workforce in mind, the building or facility management shall designate a Waiting Area outside its premises equipped with designated floor markers on queues and/or provision of chairs to effect physical distancing. Where practicable, a shade shall be provided to help protect the transacting public from the scorching heat of the sun or from getting wet in case of rain.

SECTION 6. NEW NORMAL INFECTION CONTROL TEAM. Every Building and/or outdoor facility owner, proprietor, manager, administrator, priest, pastor, school head, head of office shall activate a New Normal Infection Control Team (NNICT) that shall be tasked:

- a. to conduct temperature checks on all entrants, including workforce, to the building or facility, and refer those who register a temperature of 38 degrees Celsius or higher to the in-house clinic or the public healthcare facility for proper medical care;
- b. to guide the ingress and egress for purposes of preventing people from bumping on each other and thus defeat physical distancing;
- c. to control flow of persons to and from the building/facility, enforce the wearing of face mask, handwashing or hand-sanitizing, implement physical distancing, deny entry and report violators to government authorities;
- d. to implement regular disinfection activities in the premises and conduct such other pro-active health and safety measures peculiar and/or suitable to the actual conditions of the building or facility; and

- e. to implement health and safety protocols and issuances by the City Government, provincial and national government agencies.

SECTION 7. PENALTIES.

- a. Any person who violates any of the provisions in Sections 4, 5, and 6 of this Ordinance shall be meted out the following penalties:

First (1st) Offense – a fine of FIVE HUNDRED PESOS (PHP500.00) or attend a COVID-19 Awareness and Education Seminar-Workshop at the City of Naga COVID-19 Education Center for a duration of six (6) hours;

Second (2nd) Offense – a fine of ONE THOUSAND PESOS (PHP1,000.00) or imprisonment of one (1) month, or both fine and imprisonment at the discretion of the court; and

Third (3rd) Offense – a fine of TWO THOUSAND PESOS (PHP2,000.00) or imprisonment of three (3) months, or both fine and imprisonment at the discretion of the court.

- b. For juridical and/or public, commercial, private, religious organizations which will violate any of the provisions in Sections 4, 5, and 6 of this Ordinance, the head of office shall be meted the penalties prescribed in Section 7 (a).

- c. Separately, the following administrative sanctions shall be meted on the organization, invoking public health and safety:

First (1st) Offense – 7 days suspension of operations

Second (2nd) Offense – 14 days suspension of operations

Third (3rd) Offense – Revocation of Permit to Operate for the rest of the calendar year

SECTION 8. IMPLEMENTING OFFICES. The City Health Office (CHO), Philippine National Police – City of Naga Police Station (PNP-NAGA), City Disaster Risk Reduction and Management Office (CDRRMO), City of Naga Traffic Management Authority (CNTMA) and Business Permits and Licensing Office (BPLO), Punong Barangays of the 28 component barangays in the City of Naga, Cebu shall be responsible for the strict implementation of this Ordinance. Subject to the discretion of the City Mayor, the City Task Force New Normal, created under Executive Order no. 107, Series of 2020, may be authorized to perform oversight monitoring on the implementing offices.

SECTION 9. SEPARABILITY CLAUSE. If any section or part of this Ordinance is held invalid or unconstitutional, the other sections or provisions not otherwise affected shall remain in full force and effect.

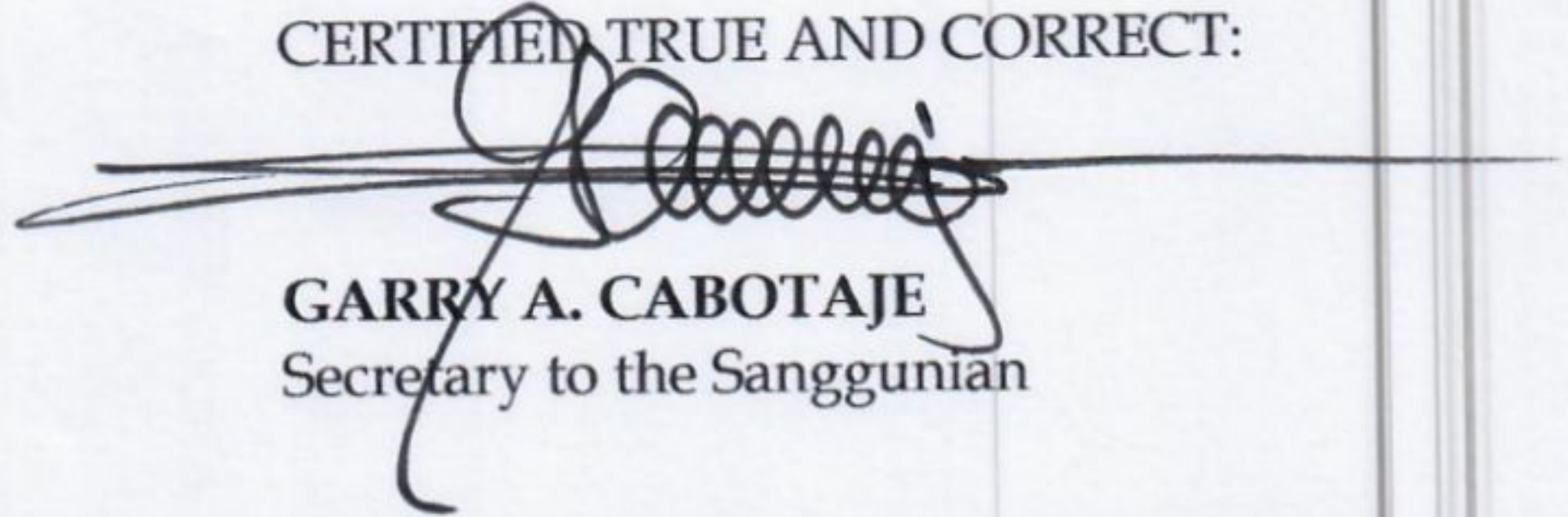
SECTION 10. REPEALING CLAUSE. All other ordinances, orders, issuances, rules and regulations which are inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval.

UNANIMOUSLY APPROVED this 17th day of June 2020, on motion of Hon. Luzminda R. Lapitan, seconded by Hon. Justino L. Dakay.

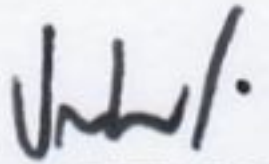
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CERTIFIED TRUE AND CORRECT:

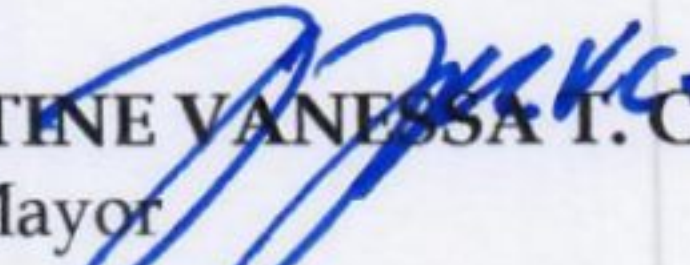


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:


KRISTINE VANESSA T. CHIONG
City Mayor

