



Republic of the Philippines
Province of Bulacan
City of Malolos

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF MALOLOS HELD VIA ZOOM ONLINE APPLICATION ON AUGUST 10, 2020.

MEMBERS PRESENT:

HON. NOEL G. PINEDA City Vice Mayor
Presiding Officer
HON. FRANCISCO J. CASTRO City Councilor
HON. NIÑO CARLO C. BAUTISTA
HON. KIRK LOUIS NICOLAS
HON. MICHAEL M. AQUINO
HON. ENRICO C. CAPULE
HON. DENNIS D. SAN DIEGO
HON. EMMANUEL R. SACAY
HON. EDGARDO F. DOMINGO
HON. LUIS ALFONSO M. ARCEGA
HON. MIGUEL CARLOS B. SOTO
HON. PATRICK S. DELA CRUZ SK President
HON. DIONISIO C. MENDOZA ABC President

ALL MEMBERS PRESENT:

CITY ORDINANCE NO. 62-2020

AN ORDINANCE PROVIDING FOR PENALTIES FOR VIOLATION OF COMMUNITY QUARANTINE PROCEDURES/ PROTOCOLS/ MINIMUM HEALTH STANDARDS SUCH AS THE MANDATORY WEARING OF FACEMASK, HOME QUARANTINE PASS (HQP), CURFEW AND PROVISION OF ALCOHOL/WATER AND SOAP/DISINFECTANT TO ALL ESTABLISHMENTS IN THE CITY OF MALOLOS.

PRINCIPAL AUTHORS: HON. NINO CARLO C. BAUTISTA, HON. ENRICO C. CAPULE AND HON. DIONISIO C. MENDOZA
CO-AUTHORED BY: HON. NOEL G. PINEDA, HON. FRANCISCO J. CASTRO, HON. KIRK LOUIS NICOLAS, HON. MICHAEL M. AQUINO, HON. DENNIS D. SAN DIEGO, HON. EMMANUEL R. SACAY, HON. EDGARDO F. DOMINGO, HON. LUIS ALFONSO M. ARCEGA, HON. MIGUEL CARLOS B. SOTO AND HON. PATRICK S. DELA CRUZ

EXPLANATORY NOTE

WHEREAS, Article II Section 15 of the Philippine Constitution declares that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the current public health crisis brought about by the outbreak of the dreaded virus globally known as COVID-19, may well best illustrate how the government must have respond and to devise means, in an effort to contain the transmission of same in order to save the lives of the many;

WHEREAS, existing health protocols that were put in place by the health authorities as reinforced by memorandum circular of the DILG, encouraged the use of wearing Face Mask by public whenever an epidemic or outbreak of virus occur;

WHEREAS, in order to overcome the future threats of virus or transmissible disease, the City Government of Malolos must require simultaneous efforts on different fronts, including all the persons who are living or working in the City of Malolos, to cooperate together and work harmoniously with the common goal of defeating the such threats;

WHEREAS, the Local Chief Executive of the City of Malolos issued Executive Order No. 41-2020, the General Guidelines for the Implementation of the Modified Community Quarantine (MECQ) in the City from August 4-18, 2020 and provides for the mandatory wearing of facemask outside of residence and the observation and implementation of curfew;

WHEREAS, the City recorded 243 cases of Covid-19 and 10 of which died from the start of the declaration of Public Health Emergency and State of Calamity last March 16, 2020;

HON. FRANCISCO J. CASTRO
CITY COUNCILOR

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HON. ENRICO C. CAPULE
CITY COUNCILOR

HON. NOEL G. PINEDA
CITY VICE MAYOR

HON. PATRICK S. DELA CRUZ
CITY COUNCILOR

HON. DIONISIO C. MENDOZA
CITY COUNCILOR

HON. MIGUEL CARLOS B. SOTO
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HON. EMMANUEL R. SACAY
CITY COUNCILOR

HON. DENNIS D. SAN DIEGO
CITY COUNCILOR

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[Handwritten signatures of Vice Mayor and Councilor]

WHEREAS, His Excellency President Rodrigo Roa Duterte issued an order placing the entire Province of Bulacan to Modified Enhanced Community Quarantine (MECQ) based on the recommendations of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases;

WHEREAS, based on research and pronouncements of the Inter-Agency Task Force (AITF), the wearing of facemask is an effective measure to contain and fight the spreading of the virus and minimize the local transmission of the Covid-19;

WHEREAS, the World Health Organization (WHO) appealed to the general public to regularly and frequently disinfect they hands using water and soap or alcohol or any other disinfectants to kill the virus;

WHEREAS, scientist is in agreement that this Covid-19 is not airborne but can be transferred or transmitted through droplets from the infected patients;

WHEREAS, the Department of Interior and local Government (DILG) mandated the implementation of Curfew Hours and the use of Home Quarantine Pass to limit the number of persons outside of their residences to observe social distancing and as a precautionary measure to contain the virus;

WHEREAS, in fighting this invisible enemies, the mandatory use of face masks or use of temporary covers for the nose, mouth and chin can significantly reduce the possibility of local or community transmission and can effectively reduce the contagion in the communities;

WHEREAS, by mandating the use of face masks or use of temporary covers for the nose, mouth and chin will result to reduced infections, keeping the people and health workers safe, and hospitals from becoming overwhelmed with patients;

WHEREAS, pursuant to RA No. 7160, otherwise known as the Local Government Code of 1991 grants the local government units the power to deliver and/or regulate basic services and facilities and also provide powers to exercise the powers expressly granted, those necessarily implied from there, as well as the powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotions of the General Welfare;

Be it ENACTED by the Sangguniang Panlungsod of the City of Malolos in session assembled that:

**RULE I  
GENERAL PROVISIONS**

SECTION 1. - TITLE - This City Ordinance shall be known and be cited as the "GUIDELINES AND PENALTIES FOR VIOLATION OF COMMUNITY QUARANTINE PROTOCOLS".

SECTION 2. - SCOPE - The provisions of this City Ordinance shall be applicable to all residents and non-residents whether natural or juridical persons and be enforced within the territorial jurisdiction of the City of Malolos.

**RULE II  
MANDATORY PROVISIONS**

**TITLE A - FACEMASK**

SECTION 3. - MANDATORY USE OF FACE MASKS - Every person is required to wear face masks when going outside their residence, in a public transportation vehicle, at the workplace, when entering government buildings and offices and while in public places. This requirement shall be followed on the occasion of a declared National or Local Public Health Emergency, epidemic, pandemic or outbreak of a disease transmissible either orally or through coughing/ sneezing.

For those persons exercising or performing outdoor activities such as jogging may temporarily remove their facemask to allow their lungs to recover from strenuous activity.

On the occasion, that such virus is considered as AIRBORNE VIRUS, HIGHLY TRANSMISSIBLE AND LIFE THREATENING, ALL ARE REQUIRED TO WEAR PROTECTIVE FACE MASK EVEN INSIDE THEIR HOMES.

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KGG. FRANCISCO J. CASTRO  
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KGG. FRANCISCO J. CASTRO  
KASANGGUNI

A face mask is a protective device used to cover the nose, mouth and chin with specifications and proper use as recommended by the Department of Health (e.g. surgical masks, medical masks, N95 masks) or reusable or washable face masks ordinarily sold in commercial markets.

Due to scarcity of face masks when such situation occur, ANY CLOTH THAT CAN COVER THE NOSE, MOUTH AND CHIN SHALL BE CONSIDERED AS AN EQUIVALENT FACE MASK.

SECTION 4. - COMPLIANCE IN PRIVATE COMMERCIAL ESTABLISHMENTS - To effectively promote and encourage compliance to this Ordinance, all private commercial establishments operating in the City of Malolos shall:

- conspicuously display at/or near the entrance of the establishment a signage "No Face Mask, No Entry", and
- Strictly prohibit entry of any person who is not wearing a face mask or an equivalent thereof in the establishment.

**TITLE B - HOME QUARANTINE PASS**

SECTION 5. - The City Government of Malolos in partnership with each Sangguniang Barangay shall issue one (1) Home Quarantine Pass (HQP) each household and shall designate two (2) window days per barangay allowing them to leave their houses to buy foods and basic necessities.

No person shall leave their houses without Home Quarantine Pass (HQP) and shall leave only during their window periods except for emergency cases.

This City Ordinance adopted the schedules (two window period) provided under Executive Order No. 41-2020 of the City Mayor.

All Government Offices, Private Establishments and other buildings such as malls, supermarkets and grocery stores are hereby mandated to check and allow only those with Home Quarantine Pass (HQP) to enter their premises on their designated days.

SECTION 6. - The validity and implementation of the Home Quarantine Pass (HQP) is until such time as may be provided on the guidelines issued and to be issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases.

No Home Quarantine Pass (HQP) shall be issued to persons below 21 years old and 60 years old and above, except for justifiable reasons.

SECTION 7. - EXEMPTION - The provision of Section 5 hereof is not applicable to Authorized Persons Outside of Residences (APOR).

1. Health and Emergency Frontliners;
2. Officials and employees of all agencies and instrumentalities of the government, including GOCCs and LGUs;
3. Employees of establishments, allowed to operate;
4. Officials and employees of foreign diplomatic missions and international organizations;
5. Pastors, Priests and Imams or such other religious ministers whose movement shall be related to the conduct of necrology or funeral rites;
6. Repatriated OFWs in compliance with approved quarantine protocols;
7. Individuals 21-59 year old who do not belong to the above-stated criteria but given Quarantine Pass.

**TITLE C - CURFEW**

SECTION 8. - It is hereby mandated the implementation of Curfew Hours for all residents and non-residents of the City of Malolos from 10:00 in the evening until 5:00 in the morning as mandated under the Inter Agency Task Force Guidelines.

SECTION 9. - EXEMPTION - The provision of Section 7 shall not be applicable to Authorized Persons Outside of their Residences (APOR) as enumerated under Section 6 hereof.

**TITLE D - ALCOHOL, WATER AND SOAP, DISINFECTANT**

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KGG. EMANUEL SAGNY  
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KGG. DORIS D. SAN DIEGO  
KASANGGUNI

**SECTION 10.** - It is hereby mandated the provision of Alcohol or Water and Soap or Disinfectants to all establishments and Terminals (Transportation Sector) for the use of their clientele or passengers.

The availability of alcohol, water and soap or disinfectant must be at all times and be part of the New Normal.

**RULE II  
FINAL PROVISIONS**

**SECTION 11. - PENALTIES** - Any person who violated any provision of this City Ordinance shall be penalized as follows:

- FOR VIOLATION OF SECTIONS 3, 5 & 8** : Community Service of not more than 8 hours or fine of 300.00.
- FOR VIOLATION OF SECTION 10** : The owner of the establishment and/or PUV Owner or Driver shall be penalized as follows:
  - First Offense** : Community Service of not more than 8 hours or fine of Php300.00
  - Second Offense** : Fine of Php500.00
  - Third and Subsequent Offenses** : Fine of Php1,000.00

**SECTION 12. - DEPUTIZATION** - It is hereby deputized the City Government of Malolos Officials, Philippine National Police - Malolos Police Station and Barangay officials to implement this ordinance.

**SECTION 13.** - The Apprehending Team (Task Force) and or the arresting officer shall turnover the violator to the Sangguniang Barangay concerned through the Punong Barangay or his duly designated officer where the violator lives for the rendition of Community Service or the payment of fine.

For those violators living outside of Malolos, they shall be turned over to the Philippine National Police - Malolos Police Station for the proper recording and rendition of Community Service or the issuance of a ticket for the payment of fine to the Treasure's Office of the City Government of Malolos.

The arresting team shall observe the human rights of the violators and shall observe the Minimum Health Standards set by the IATF and or by the Department of Health.

The arresting officer shall submit his or her report with the Office of the City Administrator for data banking and data gathering.

**SECTION 15. - DISSEMINATION OF INFORMATION TO PUBLIC** - The provisions of this Ordinance shall be disseminated widely to all barangays within the jurisdiction of the City and shall be headed by the City Information Office of the City Government of Malolos.

**SECTION 16. - FUNDING** - The Office of the City Mayor shall set funds necessary for operation and implementation of this Ordinance.

**SECTION 17. - REPEALING CLAUSE** - All ordinances resolutions, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed and modified accordingly.

**SECTION 18. - SEPARABILITY CLAUSE** - If for any reason, any section or provision of this Ordinance shall be held as unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

**SECTION 19. - APPLICABILITY CLAUSE** -- All other matters relating to the impositions in this ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

**SECTION 20. - EFFECTIVITY** - This ordinance shall take effect upon its approval.

APPROVED.

GGG. FRANCISCO J. CASTRO  
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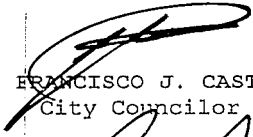
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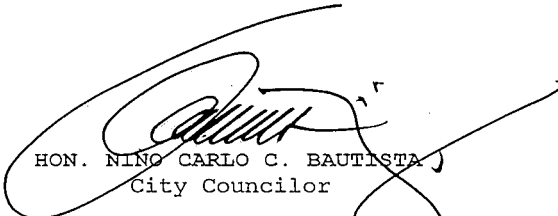
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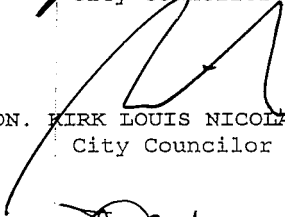
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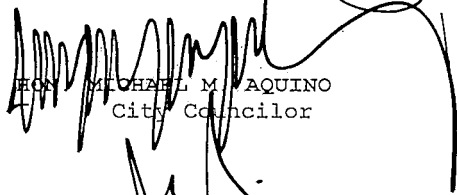
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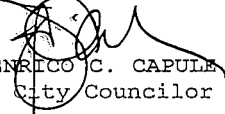
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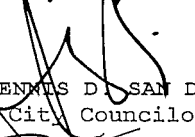
  
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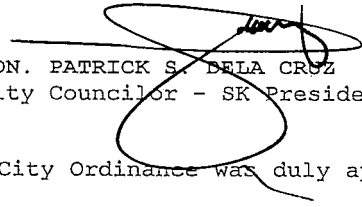
  
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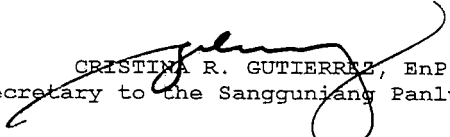
  
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City Councilor

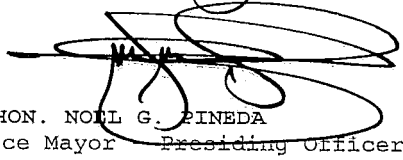
  
HON. DIONISIO C. MENDOZA  
City Councilor - AEC President

  
HON. PATRICK S. DELA CRUZ  
City Councilor - SK President

I HEREBY CERTIFY that the aforementioned City Ordinance was duly approved by the Sangguniang Panlungsod of Malolos.

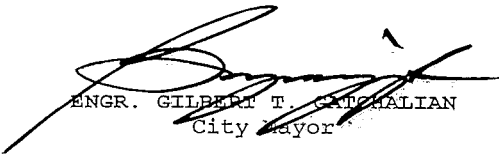
  
CRISTINA R. GUTIERREZ, EnP  
Secretary to the Sangguniang Panlungsod

ATTESTED BY:

  
HON. NOEL G. PINEDA  
City Vice Mayor - Presiding Officer

APPROVED/DISAPPROVED:

Aug. 17, 2020  
Date of Approval:

  
ENGR. GILBERT T. CANCHALIAN  
City Mayor

\*absent

\*DhorieTrogo\*08132020