

Republic of the Philippines  
Province of Cebu  
Municipality of Dalaguete

## Office of the Sangguniang Bayan

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### EXCERPTS FROM MINUTES NO. 20-2020 OF THE 15<sup>TH</sup> SANGGUNIAN BAYAN OF DALAGUETE, CEBU OF ITS REGULAR SESSION HELD AT THE MUNICIPAL SESSION HALL ON APRIL 28, 2020.

Vice Mayor William O. Lagahid, Presiding	Present
Councilor John Ritz B. Osorio	Present
Councilor Royce Nikko J. Cesante	Present
Councilor Ernesto M. Tangpos	Present
Councilor Hilarion S. Belciña, Jr.	Present
Councilor Felix G. Villacorta	Present
Councilor Michael A. Comedia	Present
Councilor Mary Sydney A. Elemino	Present
Councilor Lowell O. Amaya	Present
ABC President Ricardo E. Villahermosa	Present
SKF President Jan Dwight H. Paquilil	Present

### RESOLUTION NO. 102-2020

#### AN ORDINANCE IMPOSING PENALTY TO VIOLATORS APPREHENDED RELATIVE TO THE IMPLEMENTATION OF MITIGATING MEASURES TO CURB THE SPREAD OF CORONAVIRUS DISEASE 2019 (COVID-19).

**WHEREAS**, as the country continues to grapple with the harsh reality of the pandemic COVID-19, daily life has drastically changed for most if not all citizens, entire countries and cities have been locked down, social distancing, self-isolation and self-quarantine is being enforced, even major events and public areas have been completely cancelled or closed;

**WHEREAS**, Section 16 of the Local Government Code provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety;

**WHEREAS**, Article II, Section 15 of the Philippine Constitution, provides that it is the State's Policy to protect and promote the right to health of the people and instill health consciousness;

**WHEREAS**, subsequent Executive Orders Issued by the Municipal Mayor Jeffrey B. Belciña providing for a stringent guidelines and protocols and mitigating measures to help curb the spread of COVID-19 to be observed within the Municipality of Dalaguete;

**WHEREFORE**, on motion of Hon. Hilarion Belciña, Jr., duly seconded by Hon. Royce Nikko Cesante, it was

**RESOLVED to ENACT**, as it is hereby **ENACTED**, the following:

#### MUNICIPAL ORDINANCE NO. 2020-263

**IMPOSING PENALTY TO VIOLATORS APPREHENDED RELATIVE TO THE IMPLEMENTATION OF MITIGATING MEASURES TO CURB THE SPREAD OF CORONAVIRUS DISEASE 2019 (COVID-19).**

**BE IT ORDAINED**, by the Sangguniang Bayan of Dalaguete, Cebu, that:

**SECTION 1. TITLE.** This Ordinance shall be known as, **"IMPOSING PENALTY TO VIOLATORS FOR COVID-19"**.

*[Handwritten signatures and initials are present in the left and right margins of the page, including a large signature on the left and several smaller ones on the right.]*



**SECTION 2. DECLARATION OF POLICY.** - It is hereby declared the policy of the Municipality of Dalaguete, Cebu to uphold the right to health of its constituents and to fully ensure that all efforts and actions are decisively undertaken in order to protect them against pandemic COVID-19.

**SECTION 3. DEFINITION OF TERMS.** - For purposes of this Ordinance, the following terms are defined as follows, to wit:

- A. CURFEW.** - refers to the requirement where residents and non-residents shall stay indoors within specified period of time.
- B. ENHANCED COMMUNITY QUARANTINE.** - refers to the level of community quarantine where a twenty-four (24) hours strict home quarantine shall be implemented in all households within specified geographic boundaries, transportation shall be suspended, provision for food and essential health services shall be allowed but regulated and a heightened presence of uniformed personnel to enforce quarantine procedures.
- C. ENHANCED COMMUNITY QUARANTINE PASS.** - refers to the pass given to residents of a local government unit that restricts and monitors their movements. It authorizes them to leave their residence to purchase food and other necessities but restricts and monitors their movement.
- D. ESSENTIAL GOODS.** - A physical item required by a consumer in order to sustain health or life. Some essential good types that are produced by business operators include vegetables and other farm products, water, gasoline and heating fuel, as well as construction materials.
- E. MANDATORY QUARANTINE.** - an Isolation Center of a person at his residence or in a facility duly identified by the Rural Health Unit and approved by the Department of Health, Regional Office for a maximum period of fourteen (14) days.
- F. PRESCRIPTION PERIOD OF CRIME.** - are the specific time within which an offender may be prosecuted for the crimes committed.
- G. PUBLIC TRANSPORT.** - refers to buses, cargo trucks, multi-cab, tricycle, pedicab (motorsikad and pedal-operated tricycle), and other forms of transportation that set fares, run on fixed routes and are available to the public.
- H. SOCIAL DISTANCING.** - shall refer to the distance of at least one (1) meter or more from one person to another in all settings to avoid close contact and spreading of COVID-19 virus.

**SECTION 4. PROHIBITED ACTS.** -The following acts are strictly prohibited, a viz:

- a. To leave their household without wearing Facemask or Improvised masks and other protective equipment that can reduce risks of local transmission of the virus in public areas.
- b. To use, borrow or plagiarize quarantine pass issued to other person.
- c. Strict observance of 24 hours Municipal-wide curfew.
- d. To conduct any activities such as graduation ceremonies, trainings and seminar, workshop, symposium, disco, concert, cockfighting and any other gambling activities, conduct of recreational and sporting events and other similar events that may create gatherings.
- e. Consumption of intoxicating beverages/liquor in public places like convenience stores, restaurants, cafes, bars, service (food and drink) related establishments.
- f. It shall be unlawful to any person to allow backride on a motorcycle.
- g. It shall be unlawful to any person/s or owner of non-basic/essential services business establishment like hotel and resort bookings, Inns and similar establishments, island hopping and diving, golf courses if any, and online classes to operate.
- h. It shall be unlawful to any person/s or owner of basic business establishment to operate beyond regulated market/store hours.
- i. It shall be unlawful to any public transport to convey passenger.
- j. It shall be unlawful to any persons engaged in delivery of essential goods to load more than 2 personnel in their delivery vehicle including driver.
- k. Large gatherings more than twenty (20) persons are discourage.



- I. It shall be likewise prohibited to any person or group of persons to gather without observing social distancing as specified in "Section 3(H) of this ordinance.

**SECTION 5. PRESCRIPTION PERIOD OF CRIME.** - Persons apprehended violating this ordinance shall be brought to the Police Station, an action will be filed in court within the time provided under the Revised Penal Code and other existing laws.

**SECTION 6. PENALTY.** - Any person/s who violated Section 4 of this Ordinance shall be meted for a fine as follows:

1. First Offense : P 500.00 and community service of not less than 8 hours
2. Second Offense : P 1,000.00 and confiscation of quarantine pass and community service of not less than 16 hours
3. Third Offense : P1,500.00 or imprisonment of not less than one (1) day but not more than thirty (30) days, or both such fine and imprisonment at the discretion of the Court.

**SECTION 7. IMPLEMENTING RULES AND REGULATIONS.** - The Office of the Municipal Mayor through its Chairperson of COVID-19 NCOV ARD Municipal Executive Committee in consultation and coordination with civil society organizations, non-government organizations, private sector representatives and other stakeholders, shall issue the necessary rules and regulations for the effective implementation of this Ordinance no later than seven (7) days upon effectivity of the Ordinance.

**SECTION 8. SEPARABILITY CLAUSE.** - If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 9. REPEALING CLAUSE.** - All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

**SECTION 10. APPLICABILITY AND VALIDITY.** - Due to the exigency and compelling needs, this ordinance shall apply only or during the onset of the pandemic COVID-19, if the virus will be contained and eliminated as declared by World Health Organization, Department of Health and/or by other appropriate authorize agencies in the Government, this ordinance will be automatically null and void.

**SECTION 11. EFFECTIVITY.** - This ordinance shall take effect immediately after its posting in two (2) conspicuous places in the Municipality and publication in at least one (1) newspaper of general circulation.

**UNANIMOUSLY APPROVED.**

I HEREBY CERTIFY to the correctness of the afore-quoted resolution.

ATTESTED:

**WILLIAM O. LAGAHID**  
Vice Mayor  
Presiding Officer

**LOEL B. FAJARDO**  
OIC-SB Secretary

APPROVED: **MAY 20 2020**

**JEFFREY B. BELCIÑA**  
Municipal Mayor

**WE HEREBY CERTIFY** our presence and approval of this Ordinance.

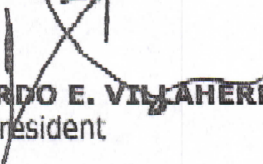
**SB MEMBERS**

  
**JOHN RITZ B. OSORIO**

  
**ERNESTO M. TANGPO**

  
**FELIX G. VILLACORTA**

  
**MARY SYDNEY A. ELEMIO**

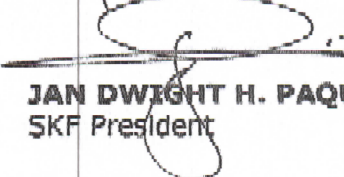
  
**RICARDO E. VILLAHERMOSA**  
ABC President

  
**ROYCE NIKKO J. CESANTE**

  
**HILARION S. BELEÑA, JR.**

  
**MICHAEL A. COMEDIA**

  
**LOWELL O. AMAYA**

  
**JAN DWIGHT H. PAQUILIT**  
SKF President