



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION VIA ZOOM OF THE SEVENTH CITY COUNCIL HELD AT THE OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLUNGSOD, NOVEMBER 3, 2020.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Melchor P. Atutubo
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Franco Eric O. Ravanilla

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Hilario D. Dioneda
Hon. Erwin J. Duana
Hon. Mary Ellen D. Jamisola
Hon. Joven G. Laura

Resolution No. 295, Series of 2020

(Authors: Hon. Franco Eric O. Ravanilla)

RESOLUTION ENACTING AN ORDINANCE MANDATING A NEW CURFEW HOURS FOR ALL RESIDENTS OF SORSOGON CITY FROM 9:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING OF THE FOLLOWING DAY, PRESCRIBING GUIDELINES IN ITS IMPLEMENTATION AND PROVIDING PENALTIES FOR VIOLATION THEREOF AMID COVID 19.

WHEREAS, Section 16 under General Welfare Clause of Republic Act 7160 otherwise known as the Local Government Code of 1991 states 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, enhance the right of the

people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants”;

WHEREAS, Section 458 (a) (5) (xii) of the same code mandates the Sangguniang Panlungsod to “approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases”;

WHEREAS, for purposes of this ordinance, passage of the same is anchored on the recommendation made by the City Health Office dated October 22, 2020 following the alarming surge in the number of COVID 19 Cases in recent days and having stringent measures are in order;

WHEREAS, in line with the preceding statement, the recommendations of Dr. Rolando E. Dealca , OIC-City health Officer are as follows;

1. Limit outdoor group activities involving more than fifteen (15) participants, including fun walks, fun runs and fun bike rides until October 31, 2020;
2. Set Curfew Hours from 9:00 p.m. to 4:00 a.m. of the next day;
3. Direct the City PNP and SK3 to strictly implement health protocols and minimum health standards (i.e. proper wearing of facemasks and face shields, physical distancing of not less than one (1) meter, frequent hand washing/use of sanitizers) in public places, including but not limited to restaurants, churches, markets, parks and boulevards;
4. Direct barangay officials/tanods to enforce observance of health protocols in the barangay;
5. Request the Department of Education to ensure compliance to health protocols and social distancing especially during the distribution and retrieval of modules;
6. Encourage the participation of stakeholders such as business and religious groups and schools in the fight against Covid19 by observing preventive measures in their establishments and ensuring that health protocols are duly complied with;
7. Discourage government offices and business establishments from allowing parents with minors to enter premises except for medical/emergency purposes.

WHEREAS, the recommendation made by the City Health Office being the city’s local frontline agency in fighting Covid19 requires local legislation, this is coherent with the statements made by the Inter Agency Task Force for the Management of Emerging Infectious Diseases encouraging local government units through their respective Sanggunian to enact local ordinances focused on fighting the spread of COVID 19 subject to AITF Omnibus Guidelines;

WHEREAS, Section (8), General Provisions of the Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines (with Amendments as of October 15, 2020) issued by the Inter Agency Task Force for the Management of Emerging Infectious Diseases (AITF-MEID) , Local Government Units are enjoined to enact the necessary ordinances to enforce curfew only for non- workers in jurisdictions placed under MECQ, GCQ and MGCQ to penalize in a fair and humane manner, violations of the restrictions of the movement of people as provided under these Omnibus Guidelines. Law Enforcement Agencies in implementing and enforcing said ordinances are likewise strongly enjoined to fair and humane treatment of curfew violators, public transportation however shall not be restricted by such curfew ordinances (As amended by Paragraph c of IATF Resolution 47, June 19, 2020)

WHEREAS, foregoing premise considered and after due deliberation on the matter, the 7th City Council deemed it necessary to pass a resolution enacting an ordinance mandating a new curfew hours for all residents of Sorsogon City from 9:00 o’clock in the evening to 4:00 o’clock in the morning of the following day, prescribing guidelines in its implementation and providing penalties for violation thereof;

NOW THEREFORE, on motion of **City Councilor Franco Eric O. Ravanilla**, duly seconded by **City Councilor Jo Abegail C. Dioneda**, resolve as it is hereby done to enact an ordinance mandating a new curfew hours for all residents of Sorsogon City from 9:00 o'clock in the evening to 4:00 o'clock in the morning of the following day, prescribing guidelines in its implementation and providing penalties for violation thereof.

CITY ORDINANCE NO. 21, SERIES OF 2020

Be it ordained by the 7th City Council of Sorsogon in Session Assembled that:

SECTION 1. SHORT TITLE:

This ordinance shall be known as the **“Sorsogon City Curfew Ordinance of 2020 AMID COVID 19”**.

SECTION 2. DECLARATION OF POLICY

- (a) It is hereby declared the policy of the City Government of Sorsogon to help contain emergence of Infectious Diseases and residents shall be protected from the spread of infectious diseases. Toward this end, the city shall, through the Sangguniang Panlungsod institute legislative measures responsive to any emergencies in exercise of the inherent **power** of a government to exercise reasonable control over persons and property within **its** jurisdiction in the interest of the general security, **health**, safety, morals, and welfare.
- (b) It is also the policy of the City Government of Sorsogon that in pursuance and implementation of reasonable control over persons and property within its jurisdiction in the interest of the general security, health, safety, morals, and welfare, full extent of the law shall be applied.

SECTION 3. SCOPE OF APPLICATION.

This ordinance shall be limited to the following;

1. Implementation of New Curfew on all residents, business establishments within the territorial jurisdiction of the city from 9:00 in the evening to 4:00 in the morning of the following day except those identified in the Omnibus Guidelines issued by the Inter Agency Task Force for the Management of Infectious Diseases;
2. Imposition of Penalty Sanctions for violations of the provision of this ordinance.

SECTION 4. DEFINITION OF TERMS:

As used in this ordinance, hereunder words and phrases shall be construed as follows;

1. **ACCOMMODATION ESTABLISHMENTS** - refers to an establishment operating primarily for accommodation purposes including, but not limited to, hotels, resorts, apartment hotels, tourist inns, motels, pension houses, private homes used for homestay, ecolodges, serviced apartments, condotels, and bed and breakfast facilities. (As amended by Paragraph A(1) of IATF Resolution No. 43, June 03, 2020)
2. **AUTHORIZED PERSON OUTSIDE RESIDENT (APOR)** - shall be construed to include persons mentioned in Section 6 of this ordinance.

3. **COVID-19-** refers to the Coronavirus Disease 2019 which is caused by the virus known as the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
4. **CURFEW HOURS-** shall refer to the time when persons or individuals are required to return to and stay in their houses or homes which is 9:00 in the evening to 4:00 in the morning of the next day for purposes of mitigating the spread of COVID 19 Pandemic in the territorial jurisdiction of the City of Sorsogon.
5. **ESSENTIAL GOODS AND SERVICES-** covers health and social services to secure the safety and well-being of persons, such as but not limited to, food, water, medicine, medical devices, public utilities, energy, and others as may be determined by the IATF.
6. **ESSENTIAL BUSINESS ESTABLISHMENTS-** shall refer to health and social services to secure the safety and well-being of persons, such as but not limited to, food, water, medicine, medical devices, public utilities, energy, and others as may be determined by the IATF.
7. **HEALTH AND EMERGENCY FRONTLINERS-** refers to services provided by public health workers [all employees of the Department of Health (DOH), DOH Hospitals, Hospitals of LGUs, and Provincial, City, and Rural Health Units, and Drug Abuse Treatment and Rehabilitation Centers including those managed by other government agencies (e.g. police and military hospitals/clinics, university medical facilities), uniformed medical personnel], private health workers, such as but not limited to medical professionals, hospital and health facility administrative and maintenance staff, and aides from private health facilities, as well as their service providers, health workers and volunteers of the Philippine Red Cross and the World Health Organization, and employees of Health Maintenance Organizations (HMOs), the Philippine Health Insurance Corporation (PHIC), health insurance providers, disaster risk reduction management officers, and public safety officers.
8. **INTRAZONAL MOVEMENT-** the movement of people, goods and services between provinces, highly urbanized cities, and independent component cities under the same community quarantine classification, without transiting through an area placed under a different classification. For this purpose, the National Capital Region shall be considered as one area. (As amended by Paragraph A of IATF Resolution No. 79, October 15, 2020).
9. **INTERZONAL MOVEMENT-** - the movement of people, goods and services between provinces, highly urbanized cities, and independent component cities under different community quarantine classification. For this purpose, the National Capital Region shall be considered as one area. Provided that movements to and from areas under granular lockdowns shall be considered as interzonal movement even if within the same province or highly urbanized city. (As amended by Paragraph A of IATF Resolution No. 79, October 15, 2020).
10. **MINIMUM PUBLIC HEALTH STANDARDS-** refers to guidelines set by the DOH under Administrative Order No. 2020-0015, as well as sector-relevant guidelines issued by national government agencies as authorized by the IATF, to aid all sectors in all settings to implement non-pharmaceutical interventions (NPI), which refer to public health measures that do not involve vaccines, medications or other pharmaceutical interventions, which individuals and communities can

carry out in order to reduce transmission rates contact rates, and the duration of infectiousness of individuals in the population to mitigate COVID-19. For this purpose, the Department of Tourism and Department of Public Works and Highways are recognized as the sector-relevant agencies with respect to tourism and construction, respectively.

11. **NON-ESSENTIAL BUSINESS ESTABLISHMENTS-** shall refer to business establishments which operations does not offer essential goods and services and are mainly visited by the public for leisure purposes
12. **OPERATIONAL CAPACITY-** refers to such a number of employees or workers who can be permitted or required to physically report to work on-site in a particular office or establishment.
13. **OTHER GOVERNMENT PERSONNEL-** shall mean government personnel aside from those herein provided to implement the Curfew Ordinance wherein their presence during the duration of the curfew is necessary and vital as the circumstances arises.
14. **PROHIBITED ACTS AND ACTIVITIES-** shall mean those enumerated under Section 5 of this ordinance.
15. **PUBLIC PLACES-** shall mean locations to which all of the public has access and is not a **place** exclusively used for a private gathering or any other personal purposes.

SECTION 5. PROHIBITED ACTS AND ACTIVITIES.

Hereunder Acts and Activities shall be prohibited while Curfew is in effect;

1. Operations of non-essential business establishments during the duration of Curfew Hours;
2. Roaming around, loitering, wander, stay or meander in public places of person during the duration of Curfew Hours.

SECTION 6. EXEMPTIONS.

For purposes of this ordinance, Authorized Person Outside Resident (APOR) as herein provided are exempted from Curfew Hours;

1. PNP Personnel;
2. Barangay Tanod on Duty;
3. Elective City and Barangay Officials;
4. City Disaster Risk Reduction and Management Personnel;
5. Health And Emergency Frontliner who are going home and or going to work during the duration of the Curfew Hours;
6. Person seeking assistance during emergency cases;
7. Persons purchasing medicines;
8. Persons whose presence outside residence during the duration of Curfew Hours are justifiable subject to verification;

9. Intrazonal movement and Interzonal movement of APOR for purposes of Delivery of essential Goods and Services;
10. Other Government Personnel when circumstances necessitates their presence during the duration of the Curfew Hours;

SECTION 7. BUSINESS ESTABLISHMENTS AUTHORIZED TO OPERATE DURING THE DURATION OF CURFEW HOURS.

Accommodation establishments as herein defined is authorized to operate during the duration of Curfew Hours subject however to the Minimum Public Health Standards and operational capacity among employees of the business establishments.

Further, Essential Business Establishments such as pharmacies, gasoline stations, food chains and the like provided such establishments shall in no case offer liquor and other intoxicating beverages.

SECTION 8. PENALTY PROVISIONS.

For purposes of this ordinance, Penalty Provisions under **Provincial Ordinance No. 26-2020** dated April 27, 2020 shall be adopted as follows;

A. For Minors

Any minor found violating the curfew hours will be escorted home. Parents and/or guardians who are found to be negligent and remiss of their parental duty to enforce home quarantine to their children or wards, as required under the said provincial ordinance, shall be meted out with the following penalties;

1st Offense- Community Service of not less than 2 hours and reminder of his/her parental obligation.

2nd Offense- Community Service of not less 4 hours and the incident will be reported in the school where the minor is enrolled. Said incident will be considered in the evaluation of such minor's conduct in school.

3rd and succeeding offenses- Community Service of not less than 6 hours but not more than 8 hours.

B. FOR INDIVIDUALS AGED 18 YEARS OLD AND ABOVE.

Any individual aged 18 years old and above found violating the Curfew Hours will be escorted home. If they refuse to go home, they will be arrested and charged with violation of Section 5 hereof, and shall be meted out with the following penalties;

1st Offense- Community Service of not less than 2 hours.

2nd Offense- Community Service of not less 4 hours.

3rd and succeeding offenses- Community Service of not less than 6 hours but not more than 8 hours.

SECTION 9. PERSONS AUTHORIZED TO IMPLEMENT THIS ORDINANCE.

The Philippine National Police, SK3 Personnel, City and Barangay Elective Officials, shall be the Persons Authorized to implement this ordinance. Barangay Tanods shall be considered as Agents of person in Authority.

SECTION 10. SUNSET PROVISION.

Upon recommendations of the City Health Office, Curfew Hours as herein provided maybe adjusted without need of further legislation subject to Information and Dissemination campaign

SECTION 11. IMPLEMENTING RULES AND REGULATIONS.

Formulation of the Implementing Rules and Regulations of this ordinance shall spearheaded by the City Legal Office three (3) days after the effectivity of this ordinance.

SECTION 12. SEPARABILITY CLAUSE.

If any clause or parts hereof is declared invalid or unconstitutional, other provisions hereof which is not affected thereby shall be in full force and effect.

SECTION 13. REPEALING CLAUSE.

All ordinances, rules and regulations inconsistent with the provision of this ordinance are hereby repealed and/or modified accordingly.

SECTION 14. EFFECTIVITY CLAUSE.

This ordinance shall take effect immediately upon its approval.

DATE APPROVED: November 3, 2020

I HEREBY CERTIFY to the correctness of the foregoing ordinance.



ROVAN E. DOMASIAN
Acting Secretary to the Sangguniang Panlungsod

Attested:



MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

Approved:



MA. ESTER E. HAMOR
City Mayor