



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-330

37th Regular Session

2957

ORDINANCE NO. SP-_____, S-2020

AN ORDINANCE AMENDING THE PENALTIES STATED IN ORDINANCE NO. SP-2936, S-2020 ENTITLED "AN ORDINANCE RE-ENACTING ORDINANCE NO. SP-2908, S-2020, ENTITLED: AN ORDINANCE REQUIRING THE USE OF FACE MASK OR OTHER FACE COVERINGS IN PUBLIC PLACES WITHIN QUEZON CITY, EXPANDING ITS COVERAGE AND FOR THE OTHER PURPOSES".

Introduced by Councilors FRANZ S. PUMAREN and DIORELLA MARIA G. SOTTO-ANTONIO.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Rogelio "Roger" P. Juan, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente

WHEREAS, the Local Government Code of 1991 granted the City an implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, Republic Act No. 11332, entitled "The Mandatory Reporting of Notifiable Diseases and Health Events of Public Concern Act", provides that local governments have the authority to conduct and enforce disease surveillance and response systems, epidemic/outbreak and epidemiologic investigations and rapid containment, quarantine and isolation, disease prevention and control measures;

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WHEREAS, the 21st Quezon City Council enacted on April 13, 2020 Ordinance No. SP-2908, S-2020 entitled "AN ORDINANCE REQUIRING THE USE OF FACEMASKS OR OTHER FACE COVERINGS IN PUBLIC PLACES WITHIN QUEZON CITY" otherwise known as the Mandatory Face Mask Ordinance;

WHEREAS, Section 4 of Ordinance No. SP-2908, S-2020, states that any person found violating this Ordinance shall be penalized as follows:

First Offense: Fine of One (1) Thousand Pesos
Second Offense: Fine of Three (3) Thousand Pesos
Third Offense: Fine of Five (5) Thousand Pesos

This Ordinance is without prejudice to the filing of charges for violation of Section 9(e) of Republic Act 11332, and other appropriate administrative, civil or criminal charges under applicable law.

WHEREAS, Section 7 of Ordinance No. SP-2908, S-2020, provides an Automatic Dissolution which states that "This ordinance shall be deemed automatically dissolved and without effect immediately after the Enhanced Community Quarantine due to COVID-19 has been lifted by the proper authorities";

WHEREAS, after the Enhanced Community Quarantine, upon automatic dissolution of Ordinance No. SP-2908, S-2020, the 21st Quezon City Council enacted on June 1, 2020, Ordinance No. SP-2936, entitled "AN ORDINANCE RE-ENACTING ORDINANCE NO. SP-2908, S-2020, ENTITLED: 'AN ORDINANCE REQUIRING THE USE OF FACE MASKS OR OTHER FACE COVERINGS IN PUBLIC PLACES WITHIN QUEZON CITY', EXPANDING ITS COVERAGE AND FOR OTHER PURPOSES.";

WHEREAS, Ordinance No. SP-2936 adopted the penalties stated in Ordinance No. SP-2908, S-2020;

WHEREAS, given the present economic situation, there is a need to change the penalties imposed and lower it down because it is more viable that the violators, if any, to be able to comply with such.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

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SECTION 1. The Penalties in Section 4 of Ordinance No. SP-2908, S-2020 and the Penalties adopted by Ordinance No. SP-2936, S-2020 are hereby amended to read as follows:

“VIOLATION – Any person found violating this Ordinance shall be penalized as follows:

- First Offense: Fine of Three Hundred Pesos (Php300.00)
- Second Offense: Fine of Five Hundred Pesos (Php500.00)
- Third Offense: Fine of One Thousand Pesos (Php1,000.00) and/or imprisonment of not more than one (1) Month at the discretion of the court.

The foregoing is without prejudice to the filing of appropriate charges under Republic Act No. 11332 or any other applicable law.”

SECTION 2. The following provision shall be inserted as follows in Ordinance No. SP-2936, S-2020.

“SECTION 3. Issuance of Ordinance Violation Receipt (OVR) – Any person who is cited in violation of any provision of this Ordinance shall be issued an OVR pursuant to Ordinance No. SP-2752, S-2018. If the offender is a juridical person, the OVR shall be issued to the juridical entity’s officers or officer in charge of the management of the business.

SECTION 4. Deputization of Enforcement Agents - The Department of Public Order and Safety (DPOS) and the Philippine National Police (PNP) are hereby deputized as agents in the enforcement of this Ordinance. The Barangay Public Safety Officers (BPSO) shall be deputized in the event that the DPOS and PNP personnel are not available.”

SECTION 5. Minor Violators – In the event that the violator is a Minor, the Parents or Legal Guardian shall be liable. Minors herein refers to persons who are below 18 years of age.”

SECTION 3. Repealing Clause – All Ordinances, Resolutions, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 4. SEPARABILITY CLAUSE – If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

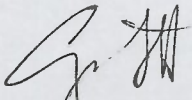
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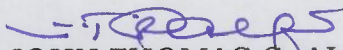
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SECTION 5. EFFECTIVITY – This Ordinance shall take effect immediately upon its approval.


ENACTED: August 3, 2020.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

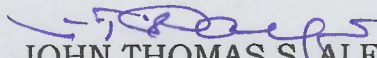

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: AUG 11 2020


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 3, 2020 under Suspended Rules and was PASSED on Third/Final Reading on the same date.


Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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