



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-337

37th Regular Session

ORDINANCE NO. SP- **2963**, S-2020

AN ORDINANCE AMENDING THE PENALTIES STATED IN ORDINANCE NO. SP-2905, S-2020, OTHERWISE KNOWN AS THE QUEZON CITY PUBLIC SAFETY HOURS ORDINANCE OF 2020.

Introduced by Councilor FRANZ S. PUMAREN.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, 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, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, due to the declaration of the World Health Organization (WHO) characterizing COVID-19 as pandemic, the City Council declared Quezon City to be under a State of Calamity;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the General Welfare Clause of the Local Government Code of 1991, mandates every local government unit to exercise their powers within their respective jurisdiction, among other things, to promote health and safety, maintain peace and order, and preserve the comfort and convenience of their residents;

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

9

16

18

2

1

37th Regular Session

Ord. No. SP- **2963**, S-2020
Page -2- PO21CC-337

WHEREAS, upon recommendation of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID), the President placed Metro Manila under Modified Enhanced Community Quarantine (MECQ) for 15 days starting August 4, 2020;

WHEREAS, Ordinance No. SP-2905, S-2020, entitled "An Ordinance Setting Public Safety Hours Within The Territorial Jurisdiction of Quezon City From 8:00 P.M. to 5:00 A.M. Due To The Coronavirus Disease 2019 (COVID-19) Pandemic, Providing Penalties For Violation Thereof, And For Other Purposes", was also enacted by the City Council on March 16, 2020, to restrict the movement of city residents;

WHEREAS, Section 6 of Ordinance No. SP-2905, S-2020, states that "violation of any provisions of this Ordinance shall be penalized by a Fine of Five Thousand Pesos (Php5,000.00). In case the offender is unable to pay the above-mentioned fine, except for minors, shall be penalized with imprisonment of one (1) year.

The provisions as contemplated in Ordinance No. SP-2752, S-2020 shall be followed in prosecuting the offender.

In the case of minors, the penalties and manner of dealing with the violator provided in Section 8 of Ordinance No. SP-2301, Series of 2014 shall be imposed accordingly.

Violators may also be charged for violation of Section 9 (e) of Republic Act No. 11332, which penalizes non-cooperation of person or entities affected by a health event of public concern.";

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:

SECTION 1. AMENDMENT. - Section 6 of Ordinance No. SP-2905, S-2020 is hereby amended to read as follows:

9

K

B

6

37th Regular Session

Ord. No. SP- **2963**, S-2020
Page -3- PO21CC-337

“Section 6. Penalties - Any person held liable under this Ordinance shall be penalized as follows:

- a. First Offense - Fine of Three Hundred Pesos (Php300.00);*
- b. Second Offense - Fine of Five Hundred Pesos (Php500.00);*
- c. Third Offense - One Thousand Pesos (Php1,000.00) or/ and one (1) month of imprisonment.*

The provision as contemplated in the Ordinance No. SP-2752, S-2018 shall be followed in prosecuting the offender. If the offender is a judicial person, the OVR shall be issued to the judicial entity’s officers or officer in charge of the management of the business.

In case a minor is found violating this Ordinance, a penalty or a fine shall be imposed to the parents/guardian of the minor. Minors herein refers to a person who are below 18 years of age.

Violators may also be charged for violation of Section 9 (e) of Republic Act No. 11332, which penalizes non-cooperation of person or entitles affected by a health event of public concern.”

SECTION 2. The following provision shall be inserted as follows in Ordinance No. SP-2905, S-2020.

“SECTION 7. DEPUTIZATION OF ENFORCEMENT AGENTS - The Department of Public Order and Safety (DPOS) and 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.”

g

K

Ⓟ

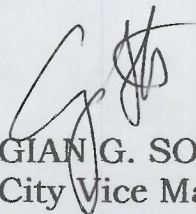
Ⓟ

37th Regular Session


Ord. No. SP- **2963**, S-2020
Page -4- PO21CC-337

SECTION 3. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.


ENACTED: August 24, 2020.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



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

APPROVED: SEP 04 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 24, 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

9 