



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 767, S-2020

AN ORDINANCE REQUIRING THE USE OF
FACE MASKS OR FACE COVERINGS IN
PUBLIC PLACES, AND IMPOSING
PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, it is a state policy to protect and promote the right to health of its people;

WHEREAS, on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922, entitled "Declaring a State of Public Health Emergency throughout the Philippines";

WHEREAS, on March 15, 2020, under Ordinance No. 759, S-2020, the City Council placed Mandaluyong City under a State of Calamity;

WHEREAS, on March 16, 2020, the President declared a State of Calamity throughout the entire Philippines and placed Luzon under Enhanced Community Quarantine (ECQ), as part of its continuous campaign to halt the spread of COVID-19;

WHEREAS, on April 2, 2020, Cabinet Secretary Karlo Nograles of the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Diseases directed all persons in public areas under ECQ to wear any type of face mask or face covering to minimize the spread of COVID-19;

WHEREAS, Section 6(e) of Republic Act No. 11332, "The 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 systems, epidemic/outbreak and epidemiologic investigations, and rapid containment, quarantine and isolation, disease prevention and control measures;

WHEREAS, based on Section 16 of the Local Government Code, every local government unit has the implied power to do all things necessary, appropriate, or incidental to govern efficiently and effectively, promote general welfare, promote health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Mandaluyong, in special session duly assembled:

SECTION 1. SHORT TITLE. - This Ordinance shall be known as the "Mandatory Wearing of Face Masks Ordinance".

SECTION 2. PERSONS LIABLE. – All persons in public places within the territorial jurisdiction of Mandaluyong City without a face mask or face covering shall be liable under this Ordinance.

SECTION 3. DEFINITIONS. For purposes of this Ordinance, the following definitions shall be adopted:

- a.) A “face mask” or “face covering” is any form of covering for the nose and mouth, including medical masks, industrial masks, earloop masks, indigenous, reusable, or do-it-yourself masks, cloth masks, improvised masks, face shields, bandanas, or handkerchiefs;
- b.) A “public place” shall include any place located within the territorial boundaries of Mandaluyong City that people in general may access, including but not limited to streets, highways, sidewalks, parking lots, transportation terminals for public vehicles, vacant lots, parks, sari-sari stores, groceries, supermarkets, wet markets, pharmacies, drug stores, banks, offices, and the common areas in and about pawnshops, money changers, remittance centers, churches, residential buildings, malls or shopping centers, commercial establishments and places of entertainment such as movie theaters and similar places or establishments, public and private office buildings, hospitals, clinics, centers, and schools.

SECTION 4. ENFORCEMENT. - This Ordinance shall be implemented by the Punong Barangay and their Bantay Bayan, the PNP-Mandaluyong, the City Ordinance and Enforcement Division (COED), Anti-Vice, and Mayor’s Action Command (MAC).

SECTION 5. PENALTIES. - Any person who violates this Ordinance shall suffer a fine of Five Thousand Pesos (PhP5,000.00), or imprisonment of one (1) week, or both, at the discretion of the court.

SECTION 6. SEPARABILITY CLAUSE. – If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof, which are not affected thereby, shall continue to be in full force and effect.

SECTION 7. REPEALING CLAUSE. – All Ordinances and rules inconsistent with the provisions of this Ordinance are hereby modified or repealed accordingly. Hence, this Ordinance is repealed upon declaration of the Inter-Agency Task Force for the management of Emerging Infectious Disease (IATF-EID) that wearing mask in public places is no longer necessary and that COVID-19 has ceased to be a pandemic.

SECTION 8. EFFECTIVITY. – This Ordinance shall take effect immediately after its approval.

ENACTED on this 8th day of April, 2020, in the City of Mandaluyong.


I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
WAS ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN A SPECIAL SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


JESUS C. CRUZ
Councilor &
Acting Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: APR 08 2020

ABSENT
ANTONIO DLS SUVA
Vice Mayor

DISTRICT I


CHARISSE MARIE ABALOS-VARGAS
Councilor


ANJELO ELTON P. YAP
Councilor



DANILO L. DE GUZMAN
Councilor


GRACE MARIE V. ANTONIO
Councilor


RODOLFO M. POSADAS
CounACTING PRESIDING OFFICER


ESTANISLAO V. ALIM III
Councilor


DARWIN A. FERNANDEZ
LnB President


AEROL SEDRICK A. MANGALIAG
SK Federation President

DISTRICT II


BENJAMIN A. ABALOS III
Councilor


CHERRY LYNN PABLO-SANTOS
Councilor


ROEHL B. BACAR
Councilor

ACTING PRESIDING OFFICER
JESUS C. CRUZ
Councilor

ABSENT
FERNANDO S. OCAMPO
Councilor


MICHAEL ERIC G. CUEJIDO
Councilor