



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod Mandaluyong

ORDINANCE NO. 869, S-2022

**AN ORDINANCE REGULATING THE MOBILITY
OF INDIVIDUALS UNVACCINATED FOR COVID-19
IN THE CITY OF MANDALUYONG**

WHEREAS, on March 9, 2020, President Rodrigo Duterte issued Proclamation No. 922, declaring the country under a state of public health emergency due to the COVID-19 pandemic;

WHEREAS, on March 15, 2020, the City Council placed Mandaluyong City under a state of calamity by virtue of Ordinance No. 759, S-2020, due to the sharp increase in COVID-19 cases throughout the City;

WHEREAS, on December 31, 2021, Inter-Agency Task Force (IATF) Resolution No. 155 placed the National Capital Region on Alert Level 3 status in view of the rising active cases of COVID-19 in the Philippines;

WHEREAS, on January 2, 2022, the Metropolitan Manila Development Authority issued a Resolution urging the Metro Manila local government units to enact their respective ordinances on an enhanced vaccination mandate to regulate the mobility of unvaccinated individuals in the National Capital Region;

WHEREAS, in order to sustain the advances in public health and the economic gains achieved under Alert Level 2, and in anticipation of the adverse impact of the highly-transmissible Omicron variant of COVID-19, pre-emptive measures must be enforced;

WHEREAS, due in large part to the City's aggressive vaccination program, it is one of the first cities in the National Capital Region to vaccinate more than one hundred percent (100%) of its target eligible population;

WHEREAS, global experience shows that COVID-19 vaccines are and continue to be effective against the virus, including the Omicron variant, and prevent severe infection cases which would otherwise require hospitalization;

WHEREAS, despite the availability of vaccines, there are a number of individuals who choose not to be vaccinated; they thus become more susceptible to severe cases of COVID-19 infection which will require hospital care, and eventually unduly burden the health care system to the detriment of public health;

WHEREAS, Republic Act No. 11332 or the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act declares that it is the policy of the State "to protect and promote the right to health of the people and instill health consciousness among them" and that the State "recognizes epidemics and other public health emergencies as threats to public health and national security, which can undermine the social, economic, and political functions of the State";

WHEREAS, Section 6 (e) of Republic Act No. 11332 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 Republic Act No. 7160 otherwise known as the Local Government Code of 1991, the City has the 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.

WHEREAS, Section 458 (a) (1) (iv) of Republic Act No. 7160 provides that the City Council may adopt measures to protect the inhabitants of the city from the harmful effects of natural disasters and calamities;

WHEREAS, Section 458 (a) (5) (xii) of Republic Act No. 7160 provides that the City Council may approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

WHEREAS, as of January 4, 2022, per Department of Health, out of 29,809 active cases, 85% of severe cases being hospitalized were unvaccinated and 93% of death cases were also from unvaccinated individuals;

WHEREAS, also citing a data from Mandaluyong City Health Department's latest recorded tally as of January 6, 2022, we have 150 new cases, (1 being hospitalized; 0 severe cases and 2 deaths, one of which was unvaccinated individual), which is a bit higher compared to the last day of December 2021 (with total recorded 33 new cases), and this may still change in a span of few days;

WHEREAS, as reported by MMDA Chairman Benhur Abalos, the current situation of LGU Managed Isolation Facilities as of January 4, 2022 has already reached at 52.81% occupancy rate, which is very close to 65.61% during delta variant surge last September 2021, considering that we only have 90 facilities then, as compared to 95 facilities that we have now;

WHEREAS, there is an urgent need for the City to enact an Ordinance on the enhanced vaccination mandate to regulate the mobility of unvaccinated individuals in the NCR for the protection of public health, promotion of general welfare, and sustainability of an improving economy.

NOW, THEREFORE, be it ordained by the *Sangguniang Panlungsod* of the City of Mandaluyong, in special session assembled:

SECTION 1. TITLE. This Ordinance shall be known as "Mobility Ordinance for the Unvaccinated" in the City of Mandaluyong.