



Republika ng Pilipinas  
**SANGGUNIANG PANLUNGSOD NG MARIKINA**

**ORDINANCE No. 015**  
**Series of 2020**

**ORDINANCE IMPLEMENTING A PUBLIC HEALTH CURFEW IN THE CITY OF MARIKINA TO CONTAIN THE SPREAD OF THE CORONAVIRUS DISEASE (COVID-2019)**

Introduced by:  
Councilor SERAFIN Y. BERNARDINO

Co-sponsored by:  
Councilor ROMMEL S. ACUÑA  
Councilor CARL ELI F. AFRICA  
Councilor CLOYD S. CASIMIRO  
Councilor PAUL B. DAYAO  
Councilor LEVY DL. DE GUZMAN  
Councilor ROMINA KATE N. DE GUZMAN  
Councilor DONN CARLO B. FAVIS  
Councilor SAMUEL S. FERRIOL  
Councilor RENATO B. MAGTUBO  
Councilor ANGELITO R. NUÑEZ  
Councilor JOEL V. RELLEVE, M.D.  
Councilor RUBEN R. REYES  
Councilor THADDEUS ANTONIO M. SANTOS, JR.  
Councilor MANUEL E. SARMIENTO  
Councilor LORETO F. TOLENTINO, JR.  
Councilor ZIFFRED A. ANCHETA  
Councilor JONAS MERVIN D. REYES  
and Vice-Mayor MARION S. ANDRES, M.D.

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**WHEREAS**, Article II, Section 15 of the 1987 Constitution provides that *“The State shall protect and promote the right to health of the people and instill health consciousness among them”*.

**WHEREAS**, Article III, Section 7 of the 1987 Constitution provides that the right to travel may be limited in the interest of public safety or public health;

**WHEREAS**, the President of the Philippines issued Presidential Decree No. 922 declaring a State of Public Health Emergency throughout the Philippines, enjoining all Local Government Units to render full assistance and cooperation to undertake appropriate response to curtail the spread of the COVID-19 threat;

**WHEREAS**, the Chief Executive, through a Memorandum signed by the Executive Secretary, has raised the alert of the COVID-19 to Code Red Sublevel 2 and has imposed a Stringent Social Distancing Measures in the National Capital Region (NCR) effectively placing the region in community quarantine for thirty (30) days; *af*

**WHEREAS**, Section 16 of the Local Government Code, or the General Welfare Clause provides that every local government unit shall exercise powers necessary to ensure and support, among other things, the health and safety of its inhabitants;

**WHEREAS**, in consideration to the primordial interest of health and well-being of its inhabitants, the City Government has the moral and legal duty to act immediately, under the principle of *bonus pater de familia*, to address this actual, serious and impending emergency;

**WHEREAS**, Section 458 (a) (5) (xii) of the Local Government Code of 1991 provides that the Sangguniang Panlungsod shall–

*“ xxx Approve measures and adopt quarantine regulations to prevent the introduction and spread of disease ”;*

**NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED by the SANGGUNIANG PANLUNGSOD NG MARIKINA**, in session duly assembled, that –

**SECTION 1. Title.** - The Ordinance shall be known as “Implementing a Public Health Curfew in the City of Marikina as a Measure to Contain the Spread of Coronavirus Disease (COVID-2019).

**SECTION 2. Definition of Terms.** - As used in this Ordinance, the following words and phrases shall mean:

- a) Public Places - refer to places where the general public, or a substantial group of people, have access including but not limited to, streets, highways, sidewalks, alleys, parking lots, vacant lots, parks, schools, shops, commercial establishments, recreation centers, malls, or any other areas outside the immediate vicinity of their residence and other similar places or establishments;
- b) Residence – means the house or home where a person actually resides;
- c) Curfew Hours– means hours prohibiting any person, subject of this Ordinance, to remain or stay in public places from eight o’clock in the evening (8:00 PM) to five o’clock in the morning (5:00 AM) of the following day;
- d) Law Enforcement Officer - refers to person in authority or his/her agent as defined in Article 152 of the Revised Penal Code, including the barangay tanod, and members of the Office of the Public Safety and Security of the City of Marikina;
- e) Child or Minor - refers to a person under eighteen (18) years of age;

**SECTION 3. Prohibited Acts.** - The public is hereby prohibited to loiter, wander, stroll, play or to remain or stay in public places within the territorial jurisdiction of the City of Marikina without exempting or justifiable reason from eight o’clock in the evening (8:00 PM) to five o’clock in the morning (5:00 AM) of the following day, daily, save those failing under herein exceptions.

Any person caught committing the above act shall be ordered by the Law Enforcement Officer to return to his/her residence immediately or, if necessary, be escorted to his/her residence or home;

Any person disobeying or resisting the lawful order of the Law Enforcement Officer shall be referred to proper authorities for prosecution pursuant to applicable provisions of the Revised Penal Code or any applicable law;

**SECTION 4. *Minors in Violation of the Curfew Hours.*** - Minors in violation of the curfew hours shall be brought to their residence or to any barangay official at the barangay hall to be released to the custody of their parents or guardians. In the event that the parents, relatives or guardians cannot be located after reasonable effort, the child may be released to any of the following:

- A. Duly registered non-governmental or religious organization;
- B. Barangay official or a member of the Barangay Council for the Protection of Children (BCPC);
- C. City Social Welfare and Development Officer.

**SECTION 5. *Exemptions.*** - The following persons, acts or occasions, shall be exempted from the implementation of this Ordinance:

- a) Health Workers and Frontline Personnel in the performance of their functions;
- b) On duty Police, Military personnel and other Law Enforcement Officer;
- c) Any National or City Official or Employee in the performance of their duties;
- d) Public and Private employees who are returning from work, provided that they present their identification cards and certification of their official office hours;
- e) Those who provide public transport services (bus, tricycles, TNVS, jeepney drivers);
- f) Those who provide delivery services for basic necessities such as food and medicines;
- g) Employees of utility companies;
- h) Any person involved in an emergency situation, requiring immediate action to safeguard, protect or preserve his or another's life, limb, or property;
- i) Any person that will be issued a Certificate of Exception by the Office of the City Mayor;

**SECTION 6. *Concerned Citizen Participation.*** - Any individual who has personal knowledge of the presence of a person in public places during curfew hours may report the same to the barangay or police station for appropriate action.

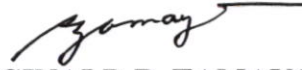
**SECTION 7. *Separability Clause.*** - If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

**SECTION 8. *Repealing Clause.*** - All ordinances, resolutions, executive orders or issuances inconsistent with or contrary to the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 9. *Effectivity.*** - This Ordinance shall take effect immediately upon its approval and shall remain in effect for the duration of the community quarantine or until April 14, 2020, unless extended, lifted or repealed by local or national law, regulation or issuance.

**UNANIMOUSLY ORDAINED by the SANGGUNIANG PANLUNGSOD NG MARIKINA** this 16<sup>th</sup> day of March, 2020.

**I HEREBY CERTIFY** to the passage of the foregoing Ordinance which was duly adopted by the 9<sup>th</sup> City Council of Marikina during its 1<sup>st</sup> Special Session held on 16 March 2020.



**REGINALD B. TAMAYO**  
Acting City Council Secretary

**ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:**



**MARION S. ANDRES, M.D.**  
City Vice Mayor/Presiding Officer

APPROVED by the HON. CITY MAYOR on MAR 16 2020



**MARCELINO R. TEODORO**  
City Mayor