



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
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Councilor SAMUEL S. FERRIOL
Councilor RENATO B. MAGTUBO
Councilor ANGELITO R. NUÑEZ
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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.

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;