



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD NG MARIKINA

ORDINANCE NO. 024
Series of 2021

ORDINANCE STRENGTHENING COMPLIANCE TO HEALTH AND SAFETY GUIDELINES FOR THE NEW NORMAL IN THE CITY OF MARIKINA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF OR OTHERWISE KNOWN AS “THE MARIKINA HEALTH AND SAFETY PROTOCOL”

Sponsored by:

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and
Vice-Mayor **MARION S. ANDRES, M.D.**

WHEREAS, globally, at least 5.8 Million cases of COVID-19 have been reported to the World Health Organization and have remained to be a pandemic that may last for an uncertain period of time until a cure has been discovered;

WHEREAS, evidence suggests that the virus has remained virulent and contagious to the public, especially in the absence of measures and interventions to counter the spread of the disease;

WHEREAS, it is vital to strike a balance between protecting the health of the people and keeping the economy or businesses functioning which may require multi level approach to mitigate the spread of the disease;

WHEREAS, the City Government of Marikina has deemed it necessary to strengthen the compliance to health and safety protocols, as part of the “new normal”, in order to protect the public and equally allowing socio-economic activities in the City, thus, developing resilience to the community;

WHEREAS, Section 16, the Local Government Code states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare and shall ensure and support, among other things, the promotion of health and safety, and preserve the comfort and convenience of their inhabitants.

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

SECTION 1. COVERAGE. This Ordinance shall provide for the general and sector specific health and safety standards that will become part of the new normal procedures in the conduct of socio-economic activities in the City of Marikina during a community quarantine.

SECTION 2. GENERAL HEALTH AND SAFETY GUIDELINES

A. Mandatory Use of Face Masks in Public Places –

1. All persons are required to wear facemasks in public places, including streets, sidewalks, government buildings, schools, hospitals, markets, commercial establishments, parks and while inside their workplaces, except when eating, drinking or any activity that may reasonably entail the temporary removal of the face mask, provided that they are not within a proximity of one (1) meter to other persons or have a medical or special need;
2. All establishments are required to implement a “no face mask, no entry” policy in their place of business;
3. Facemasks may be medical grade, or makeshift cloth masks, that would snugly cover the mouth and nose. Wearing of masks with vents or openings that could expel droplets shall be prohibited.

B. Mandatory Use of Face Shields –

1. All persons are required to wear face shields, together with facemasks, while in a) public transportation, b) company shuttles, c) wet markets, d) shopping malls, and e) groceries;
2. Frontline employees of establishments frequented by the public are required to wear face shields, together with facemasks, during face to face interaction with the public, except during their break times, or any activity that may reasonably entail the temporary removal of the face mask, provided that they are not within a proximity of one (1) meter to other persons.

C. Mandatory Observance of Social Distancing –

1. All persons must stay at least three feet (3 ft.) or one (1) meter apart from other people in public places and business establishments;
2. Establishments, including transport terminals, are required to ensure social distancing measures observed in the vicinity of their place of business;
3. Queues, gathering and congregation of people must be regulated to ensure the required distance is observed;
4. Public mass gathering for leisure or gatherings that are unauthorized by the local IATF, non-work essential or are entertainment related – such as movie screenings, concerts, and sporting events – are prohibited except for work purposes, humanitarian

services and government related activities, or otherwise authorized or allowed by the local IATF.

5. While adhering to the prescribed minimum health standards, religious gathering shall be limited to a capacity, as to be determined by the local Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) or provided for by national guidelines;

D. Movement of People –

1. Individuals are prohibited from going outside residential premises except when necessary to access essential goods and services and for work in permitted offices or establishments or to engage in allowed activities under the Omnibus Guidelines issued by the National Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF);
2. Any person below eighteen (18) years old, those who are sixty five (65) years old and above, those with immunodeficiency, comorbidities, or other health risks, and pregnant women, including any person who resides with the aforementioned, shall be required to remain in their residences at all times, except when indispensable under the circumstances for obtaining essential goods and services, for work in industries and offices or such other activities permitted under the Omnibus Guidelines issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases;

E. Temperature Checking –

All establishments shall ensure the conduct of regular non-contact temperature checking of its employees and any person entering the establishment. Individuals with a temperature of 37.6 degree Celsius and above shall not be allowed to enter the establishment. The establishment shall coordinate with the nearest public health center (CHO/BERT) for assistance.

F. Hand Sanitation and Washing of Hands –

Establishments must provide a hand sanitizing or washing station near its entrance, exits, and any area accessible to all. The management must ensure provisions such as alcohol, soap and water are available. Employees must engage in frequent hand washing or disinfection of hands.

G. Health Checks –

Establishments must undertake regular health checks for their employees. Any person, while inside the workplace, who is exhibiting COVID-19 symptoms, such as fever, colds, dry cough, breathing difficulty, and/or loss of taste and smell must be isolated and referred to a medical professional. Workers who are exhibiting those symptoms shall not be allowed to report to work.

H. Disinfection of the Establishment –

All establishments are required to perform regular disinfection of their establishments, especially for most touched objects, such as door handles, railings, keypads, counters, tables, chairs and etc.

I. Posting of Information regarding Health and Safety Protocols –

All establishments must post signages informing its employees to observe relevant health and safety protocols, such as social distancing, sanitizing and hand washing.

SECTION 3. FACTORIES AND OTHER INDUSTRIAL MANUFACTURING ESTABLISHMENTS

In addition to the general health and safety standards prescribed in Section 2, factories and other industrial manufacturing establishments are required to:

a. Minimize contact rate

Workstation layout must be reconfigured to maintain physical distancing and allow unidirectional movement in aisles.

b. Designate a Health and Safety officer to monitor COVID-19 control and prevention measures.

c. Submission of Workforce and Workplace Management Plan:

1. Factories and Manufacturing establishments shall be required to submit to the Business Permit and Licensing Office (BPLO) their New Normal Plan, detailing the following:
 - a. The total number of employees in the specific workplace/office/branch covered by the plan;
 - b. The work schedule arrangement implemented in the establishment, which may be on rotational, staggered, telecommuting, work from home basis, including the relevant schedule or period of the employees' time in and time out from the workplace;
 - c. The total number of employees or workers at any given time in the workplace on a daily basis;
 - d. The personal protective equipment provided or to be provided by the employer to their workers, in relation to the requirements provided for in Section 2 of this Order;
 - e. The protocols for managing employees exhibiting COVID-19;
 - f. Any other interventions, such as placement of infrastructure, devices, and mechanisms, that further promote the intention of this Ordinance.

SECTION 4. MALLS, SHOPPING CENTERS, WET MARKETS, CONVENIENCE STORES, RETAIL SHOPS, SUPERMARKETS, AND GROCERIES

- A. In addition to the general health and safety standards prescribed in Section 2 of this Ordinance, and as far as practicable, malls, shopping centers, convenience stores, retail shops, groceries, and supermarket operators shall strictly monitor foot traffic and enforce safe distancing inside their establishment;
- B. Limiting the number of people inside the mall or shopping center or inside an individual store, at any given time to a density of not more than 50% of the carrying capacity of the establishment, unless capacity modified by the national or local IATF. For the purpose of this provision, carrying capacity is equal to the total square meters of vacant **walkable** space divided by two (2); thus, a 200 square meter vacant space can accommodate 100 people at any time;
- C. Ensuring that customers stand to maintain safe distancing;
- D. Limiting access to elevators to senior citizens, persons with disabilities (PWDs), and pregnant women and limiting passengers to only half of the original standard capacity of the unit;

- E. Providing seats for customers to use while waiting and while observing social distancing;
- F. Creating one-way flow, where possible, to decongest queues and facilitate movement, and increasing visibility of enforcers, should there be a need to enforce strict physical distancing;
- G. Assigning a centralized pick-up location for stores with delivery/pick up service where delivery service providers can pick up goods;
- H. Turning off free WI-FI for customers;
- I. Suspending the conduct of sale events, marketing events, and other promotions which tend to attract large crowds;
- J. Designate a Health and Safety Officer to monitor the compliance of COVID-19 control and preventions measures;
- K. Submission to the BPLO a Workforce and Workplace Management Plan or the “Plan for the New Normal” detailing the interventions made or to be made by the establishments in relation to the guidelines provided in this Ordinance.

SECTION 5. OFFICES, SERVICE PROVIDERS AND OTHER ESTABLISHMENTS

In addition to the general health and safety standards prescribed in Section 2, Offices and Other Establishments shall be required to:

- A. If feasible, develop alternative work schedule arrangements, such as working in shifts, work from home, or rotational schedule, and encourage online systems, such as video conferencing, in lieu of physical meetings;
- B. Workstation or office table layout must be reconfigured to maintain physical distancing and allow unidirectional movement in aisles;
- C. Limiting the number of people and/or customers inside the office or establishment, at any given time to a density of not more than one (1) person per two (2) square meters; entry of people shall be limited to the carrying capacity of the premises;
- D. Providing seats for customers while waiting with observance to social distancing;
- E. Creating one-way flow, where possible, to decongest queues and facilitate movement;
- F. Submission to the BPLO a Workforce and Workplace management Plan of the “Plan for the New Normal” detailing the interventions made or to be made by the establishments in relation to the guidelines provided in this Section and in Section 2 of this Executive Order.

SECTION 6. RESTAURANTS AND DINING ESTABLISHMENTS

In addition to the general health and safety standards prescribed in Section 2, and when allowed by national and local guidelines, Restaurants and Dining Establishments, shall be required to ensure physical distancing inside the establishment.

When dine-in is allowed, the establishment is required to maintain a 50% seating capacity for customers, unless modified accordingly by additional issuances.

Dine-in establishments are allowed to serve alcoholic beverages, subject to the limitation set by the public health curfew provided for in this Ordinance.

SECTION 7. PUBLIC TRANSPORTATION

In addition to the general health and safety standards prescribed in Section 2, and when allowed by national and local guidelines, public transportation shall be required:

- A. To disallow passengers who are not wearing masks and face shields to board the vehicle;
- B. PUV Operators and drivers must comply with social distancing and passenger limit guidelines set by the Department of Transportation (DOTr) and Land Transportation Franchising and Regulatory Board (LTFRB) to avoid possible contact;
- C. To ensure that the passenger limit and physical measures are complied with, vehicles must have markings that will guide passengers on which seats are available for use. Non-permeable or acetate seat barriers may also be installed to limit contact between passengers.

SECTION 8. PUBLIC HEALTH CURFEW

A public health curfew shall be implemented in the City from 10:00 p.m. to 5:00 a.m., the following day, provided that essential activities, such as, but not limited to food take out and delivery, pharmacies, hospitals, convenience stores, and market operations may operate on a 24-hour basis.

During curfew hours, all persons shall be at home, except those:

- A. Those who are going to work or returning home from the same place of employment activity;
- B. Those in immediate need of medical attention or emergency medicines;
- C. Frontline health workers and personnel in the actual performance of their duties;
- D. Government officials and employees performing essential or emergency official functions;
- E. Those attending to, or in experience of, an emergency situation such as conflagration, earthquake, hospitalization, road accident, or any situation requiring immediate action to prevent serious body injury or loss of life;
- F. Those directly proceeding or returning from the airport or pier, as shown by their paper or electronic tickets;
- G. Drivers and conductors operating their public utility vehicles;
- H. Other lawful purposes or justifiable reasons the Head of Local IATF may determine from time to time.

SECTION 9. MONITORING AND ENFORCEMENT

The monitoring and enforcement of the above guidelines shall be done by the Local IATF, Business Permit and Licensing Office (BPLO), Office of Public Health and Safety, City Disaster Risk Management Office (DRRMO), Office of Public Safety and Security (OPSS), and the City Health Office (CHO).

SECTION 10. GRANT OF AUTHORITY TO THE HEAD OF THE LOCAL IATF TO ISSUE NECESSARY GUIDELINES TO IMPLEMENT THE ORDINANCE

The Head of the Local IATF is hereby authorized to add, substitute, revise and/or modify the Health and Safety Guidelines as provided hereto to implement the objective of this Ordinance, as may be necessary and justifiable to protect the public and to ensure that the spread of the disease be mitigated in the community.

SECTION 11. PENALTY CLAUSE – Any person found to have violated this Ordinance or issuances made pursuant to Section 10 hereof shall be issued an Ordinance Violation Receipt (OVR) and shall be penalized as follows:



A. Individual

First Offense - Warning and Order to Comply with the Public Health Instruction

Second Offense or upon failure to comply with the initial public health instruction – A fine of One Thousand Pesos (Php1,000.00) or render Four (4) Hours of Community Service under the supervision of any implementing agency assigned by the City Government

Third Offense – A fine of Three Thousand Pesos (Php3,000.00) or eight (8) Hours of Community Service under the supervision of any implementing agency assigned by the City Government

Subsequent Offense – A fine of Five Thousand Pesos (Php5,000.00) or sixteen (16) Hours of Community Service under the supervision of any implementing agency assigned by the City Government

Violators shall be given 72 hours from citation to pay the fine or when applicable, render community service. Non-compliance with payment or fine or community service shall be imposed with the additional penalty of imprisonment of not less than 10 days, without prejudice to the filing of other legal action under R.A. No. 11332 or any other applicable penal law.

B. Establishments

First Offense - Warning and Order to Comply with the Public Health Instruction within 24 hours

Second Offense or upon failure to comply with the Order – Closure for three (3) days plus a fine of Three Thousand Pesos (Php3,000.00)

Third and Succeeding Offense – Closure for One (1) Month plus Five Thousand Pesos (Php5,000.00)

Violators shall be given 72 hours from citation to pay the fine or when applicable, render community service. Non-compliance with payment of fine or community service shall be imposed with the additional penalty of imprisonment of not less than 10 days, without prejudice to the filing of other legal action under R.A. No. 11332 or any other applicable penal laws against the president, general manager or officer in charge of the establishment.

SECTION 12. GUIDELINES ON THE ENFORCEMENT AND APPREHENSION OF VIOLATORS

In the apprehension of any person who violates any provision of this Ordinance, law enforcers shall inform the violator of his or her violation/s, issue the ordinance violation receipt indicating the name, verified address, other data as may be required, such as time and place, as well as the violation itself and inform the violator of his or her right to avail of the no contest provision as provided in the measure.