



Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 27th REGULAR SESSION OF THE 10th SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON MARCH 30, 2020.

PRESENT:

FAUSTINO G. DY III	Vice Governor
DELFINITO EMMANUEL L. ALBANO	Member (1 st District) & Presiding Officer Protempore
EMMANUEL JOSELITO B. AÑES	Member (1 st District) & Floor Leader Protempore
ED CHRISTIAN S. GO	Member (2 nd District)
EDGAR R. CAPUCHINO	Member (2 nd District)
RAMON JUAN N. REYES, JR.	Member (3 rd District)
RANDOLPH JOSEPH P. ARREOLA	Member (3 rd District)
CLIFFORD R. RASPADO	Member (4 th District)
ABEGAIL V. SABLE	Member (4 th District)
FAUSTINO U. DY IV	Member (5 th District)
EDWARD S. ISIDRO	Member (5 th District)
ALFREDO V. ALILI	Member (6 th District)
MARCO PAOLO A. MERIS	Member (6 th District)
ANTONIO S. HUI	Member, PCL Federation President
DANTE G. HALAMAN	Member, LnB Federation President
DAX PAOLO C. BINAG	Member, SK Federation President
ADRIAN PHILIP S. BAYSAC	Member, Agricultural /Industrial Workers Labor Sector Representative
VENUS T. BAUTISTA	Member, Women's Sectoral Representative
GRETCHEN F. VALDEZ	Member, Indigenous Cultural Communities Sector Representative

EXPLANATORY NOTE

WHEREAS, the world is currently experiencing an international health crisis due to the rapid spread of the Corona Virus Disease (COVID-19) which affected countless lives, debilitated economies, and distressed countries all while claiming thousands of casualties on a daily basis;

WHEREAS, on March 16, 2020, His Excellency, President Rodrigo R. Duterte, issued Presidential Proclamation No. 922, series of 2020, which placed the Philippines under a State of Public Health Emergency due to the rising number of COVID-19 cases in the country;

WHEREAS, on March 17, 2020, President Rodrigo R. Duterte issued Presidential Proclamation No. 929, series of 2020, further placing the entire country under State of Calamity and imposed an Enhanced Community Quarantine throughout Luzon to address the local spread of COVID-19;

WHEREAS, DILG Memorandum Circular No. 2020-062 titled "Supplementary LGU Guidelines on the Implementation of the Enhanced Community Quarantine in Luzon, and State of Public Health Emergency in Other Parts of the Country due to COVID-19" ordered all LGUs ***"to take the lead in the prevention and control of the spread of COVID-19 at the local level"***;

Nagkaisa para sa Isabela

AN ORDINANCE IMPLEMENTING A MANDATORY WEARING OF FACE MASK POLICY IN THE PROVINCE OF ISABELA EFFECTIVE THROUGHOUT THE DURATION OF THE STATE OF PUBLIC HEALTH EMERGENCY DECLARED THRU PRESIDENTIAL PROCLAMATION NO. 922, SERIES OF 2020, AND IMPOSING PENALTIES FOR VIOLATION THEREOF

WHEREAS, the Provincial Government of Isabela is calling for a united front – the full cooperation and participation from all levels, including its private citizens and the private sector - in its fight to contain, prevent, and resolve the spread of COVID-19 in the Province and to put an end to this health crisis at the soonest possible time;

WHEREAS, COVID-19 can be contracted via airborne transmission or from touching infected surfaces and thereafter touching one's mouth, nose, or any other orifice;

WHEREAS, it is an international consensus and scientifically-proven that the wearing of face mask significantly reduces the risk of contracting COVID-19. Accordingly, the implementation of a mandatory wearing of face mask policy is a crucial and necessary measure to avert, or at least considerably minimize, any local incidence of community COVID-19 transmission;

WHEREAS, the Provincial Government of Isabela is empowered to exercise powers necessary, appropriate, or incidental for the promotion of public health and the general welfare.

NOW THEREFORE, be it ordained by the Sangguniang Panlalawigan, in a session duly assembled, THAT:

ORDINANCE NO. 2020-10-4
SERIES OF 2020

AN ORDINANCE IMPLEMENTING A MANDATORY WEARING OF FACE MASK POLICY IN THE PROVINCE OF ISABELA EFFECTIVE THROUGHOUT THE DURATION OF THE STATE OF PUBLIC HEALTH EMERGENCY DECLARED THRU PRESIDENTIAL PROCLAMATION NO. 922, SERIES OF 2020, AND IMPOSING PENALTIES FOR VIOLATION THEREOF

SPONSOR: HON. FAUSTINO G. DY III
Vice Governor, Province of Isabela

Section 1. Short Title. This Ordinance shall be known as the “**Mandatory Wearing of Face Mask Ordinance**”.

Section 2. Purpose. It is the purpose of this Ordinance to promote the health and safety of Isabeleños and to protect the citizenry from COVID-19 by preventing, or at least minimizing, the occurrence of local or community transmission in the Province by requiring all persons to wear face mask at all times, especially when going out of their residence.

Section 3. Definition.

Face Mask. Is a Protective Mask used to cover the nose, mouth, and chin with specifications and proper use as recommended by the Department of Health (e.g.

Section 4. LGU Assistance. All Local Government Units are hereby enjoined to provide their constituents access to face masks, and ensure that each family has a reusable face mask or disposable face mask which the authorized family member shall wear whenever he or she seeks to procure basic necessities or commodities, or to perform other essential activities exempted from the Enhanced Community Quarantine.

Section 5. Assistance from Private Establishments. To promote full compliance to this Ordinance, all private establishments in the Province of Isabela are hereby ordered to **strictly prohibit any person not wearing a face mask or an equivalent thereof from entering their establishments.**

Section 6. Penalties. Any person proven to be not wearing face mask, or an equivalent thereof, outside of his or her residence shall be meted with the following penalties:

- a) **First Offense.** The Offender shall attend community service or awareness campaigns on COVID-19 for at least three (3) hours as conducted by barangays or other local government offices.
- b) **Second Offense.** The Offender shall be meted with the penalty of Five Hundred Pesos for each offense committed.

Section 7. Vicarious Liability. To further ensure compliance to this Ordinance, parents or guardians shall be held responsible for violations committed by minor children or wards under their supervision.

- a) Parents or guardians of any minor caught in violation of this Ordinance shall be liable with the child in attending the community service or awareness campaign as provided in paragraph (a) of the previous Section.
- b) For Second Offenses committed by the minor, the penalty shall be reduced to One Hundred Pesos which shall be paid by the parent or guardian.
- c) For Third and Subsequent offenses committed by the minor, the penalty shall be Two Hundred Fifty Pesos for each violation which shall be paid by the parent or guardian.

Section 8. Deputization of Authority to Enforce Ordinance. The following governmental agencies and personalities are authorized, deputized, and mandated to enforce this Ordinance and to cause the citing or arrest or apprehension of any person violating this Ordinance:

- (a) Philippine National Police;
- (b) Barangay Officials, whether elected or appointed, including their deputized Barangay Tanods, in their respective barangays;
- (c) Persons to be deputized by the Municipal Mayors with proper identification card.

Section 9. Incentives. Payments received from violators due to violation of this Ordinance shall accrue to the following entities:

- 75% to the Barangay;
- 15% to the Municipality; and
- 10% to the Province.

Section 10. Collection of Fines. All payments made due to violation of this Ordinance shall be issued with a government-recognized Official Receipt.

Fines shall be collected by the LGU which made the arrest or apprehension; and if in case of the Philippine National Police, such shall be collected by the City or Municipal LGU.

Payments shall be made thru the LGU Treasurer who in turn shall remit the respective shares of the other LGUs within ten (10) days after the lifting of the Enhanced Community Quarantine with due observance to relevant auditing and accounting laws, rules, and procedures.

Section 11. Failure to Pay Fine. Offenders aged fifteen years old and above who are unable to pay the fine shall be liable for one (1) hour of community service for every one hundred pesos worth of fine. Parents or guardians of offenders below fifteen years of age who are unable to pay the fine shall be liable for the same duration. The Community Service shall commence immediately after the lifting of the Enhanced Community Quarantine.

The Punong Barangay shall be responsible for the strict monitoring, documentation, and reporting thereof to the City or Municipal Mayor who in turn shall consolidate the same and submit to the Provincial Governor.

Non-completion of the Community Service shall be deemed as a waiver for the availment of this Section and a case for violation of this Ordinance shall proceed accordingly.

Section 12. Separability Clause. If any provision of this Ordinance is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.


Section 13. Repealing Clause. All Ordinances, Resolutions, and any other local orders and issuances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.


Section 14. Effectivity. This Ordinance shall take effect immediately upon approval and shall be effective until such time that the State of Public Health Emergency, as declared in Presidential Proclamation No. 922, series of 2020, has been lifted.


I hereby certify that the foregoing ordinance was duly enacted by the Sangguninang Panlalawigan of Isabela during its 27th Regular Session on March 30, 2020.


ATTY. FRANCIS JAMES E. MEER
Secretary, Sangguniang Panlalawigan

ATTESTED:

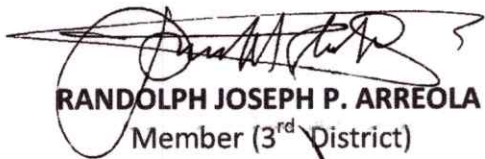

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& Presiding Officer Protempore

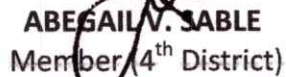

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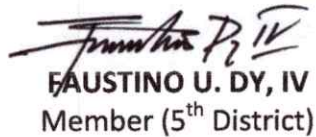

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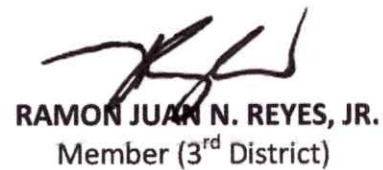

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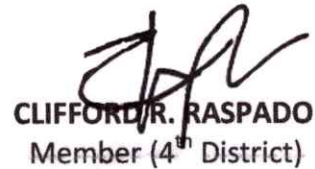

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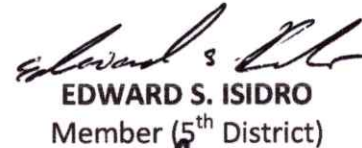

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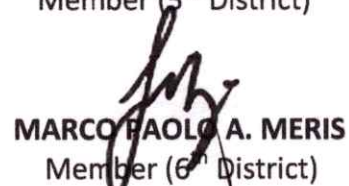

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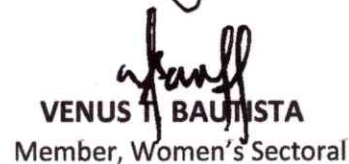

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FAUSTINO G. DY III
Provincial Vice Governor

APPROVED:


RODOLFO T. ALBANO III
Provincial Governor