



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
EIGHTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 52nd REGULAR SESSION
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON AUGUST 03, 2020, MONDAY, 9:00 A.M.,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

HON. MELVIN K. VARIGAN
 OFFICE OF THE VICE GOVERNOR
 CAGAYAN PROVINCE
 BY: *def*
 DATE: 8/10/2020
 9:20 am

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
Hon. Gilbert S. Labang	-do-
Hon. Danilo L. Baccay	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Arnel T. Arugay	-do-
Hon. Mary Marjorie P. Martin-Chan	-do- (via Teleconferencing)
Hon. Grace B. Arago	Sangguniang Panlungsod Member
Hon. Raymund P. Guzman	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Karina S. Gauani	-do-
Hon. Victor Herbert N. Perez	-do-
Hon. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)

ABSENT:

Hon. Imogen Claire M. Callangan Sangguniang Panlungsod Member (on Leave)

CITY ORDINANCE NO. 50-08-2020

**ORDINANCE PENALIZING PARENTS OR GUARDIANS OF MINORS
 AND MINORS 16-21 YEARS OLD WHO VIOLATE HEALTH PROTOCOLS
 DURING THE COVID-19 PANDEMIC**

Sponsors: **Hon. Bienvenido C. De Guzman II**
Hon. Raymund P. Guzman
Hon. Maila Rosario T. Que
Hon. Gilbert S. Labang
Hon. Danilo L. Baccay
Hon. Ronaldo S. Ortiz
Hon. Arnel T. Arugay
Hon. Mary Marjorie P. Martin-Chan
Hon. Winnoco R. Abraham
Hon. Grace B. Arago
Hon. Karina S. Gauani
Hon. Victor Herbert N. Perez
Hon. Gil G. Pagulayan
Hon. Karen L. Taguinod

WHEREAS, Tuguegarao City is placed by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) under Modified General Community Quarantine (MGCQ) with lesser restrictions starting July 1, 2020;

WHEREAS, Section 5 (3) of the Guidelines for Areas Placed under MGCQ by the IATF-EID provides that any person below twenty-one (21) years old shall be required to remain in their residences at all times;

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WHEREAS, DILG Memorandum Circular No. 2020-018 dated July 23, 2020 provides the Guides to Action Against Coronavirus which enjoins all Local Government Units to effectively intensify information education campaign against Coronavirus and implement programs, projects and services that will promote the health and well-being of every Filipino;

WHEREAS, it has been observed that a number of minors are outside their homes not following health protocols such as wearing of face mask and physical distancing;

WHEREAS, it has also been observed that there are also a number of minors on motorcycles without helmets and more than the allowed capacity of a single motorcycle and worse, the motorcycles even have loud mufflers;

WHEREAS, there are also instances when minors are still outside their residences even during curfew hours when they are in fact Unauthorized Persons Outside Residence (UPOR) even when before and after curfew hours;

WHEREAS, there is a need for an ordinance to protect these minors from getting infected with the Covid-19 virus not only for their welfare and safety but also of everybody in view of the escalating rise of Covid-19 victims in the city and in the region brought about by local migrants from other places.

NOW, THEREFORE, be it **ORDAINED** by the Sangguniang Panlungsod in session assembled, to enact:

Section 1. Title. This ordinance shall be known as *“An Ordinance Penalizing Parents or Guardians of Minors and Minors 16-21 Years Old who Violate Health Protocols during the Covid-19 Pandemic.”*

Section 2. Declaration of State Policy.

1. Section 13 of the 1987 Philippine Constitution which provides that the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being.
2. Section 15 of the 1987 Philippine Constitution which provides that the State shall protect and promote the right to health of the people and instill health consciousness among them.
3. Article 58, Chapter IV on Liabilities of Parents under Presidential Decree No. 603, otherwise known as the Child and Youth Welfare Code, provides that parents and guardians are responsible for the damage caused by the child under their parental authority in accordance with the Civil Code.
4. Executive Order 112 by the President of the Philippines, His Excellency Rodrigo Duterte, imposing an Enhanced Community Quarantine in High-Risk Geographic Areas of the Philippines and a General Community Quarantine in the rest of the country from 01 to 15 May 2020, adopting the Omnibus Guidelines on the implementation thereof, and for other purposes.

Section 3: Scope. This ordinance shall be applicable to all parents or guardians of minors in Tuguegarao City.

Section 4. Definition of terms.

1. **Guardian** – refers to a person who is legally responsible for the care of a minor.
2. **Health Protocols** – refer to the practices to be observed in relation with the Covid-19 Pandemic which include the wearing of face mask and social distancing.
3. **Minor** – for the purposes of this ordinance, refers to any person twenty-one (21) years old or below.
4. **Parent** – refers to either the biological or adoptive father or mother. In the absence of the parent, this may refer to either the grandmother or the grandfather, an older sister or brother above 21 years of age.

Section 5. Violations. The parent or guardian, as defined in this ordinance, of the minor who commits any of the following violations during the coronavirus pandemic shall be penalized in accordance with Section 7 of this ordinance:

1. Staying or loitering outside their abodes
2. Not wearing of face masks
3. Lack of physical distancing
4. Not following travel restrictions
5. Curfew violations
6. Mass gatherings
7. Other health protocol violations

Section 6. Exemptions. Any person below 21 years old are required to remain in their residences at all times, except when indispensable under the circumstances for obtaining essential goods and services or for work in permitted industries and offices, or for medical and emergency purposes.

Section 7. Penalties. Parents of Minors 15 years and below as defined in PD 9344 who violate Section 5 of this ordinance shall be subjected to Presidential Decree No. 603, the Child and Youth Welfare Code, and Republic Act 9344, Juvenile Delinquency Act, while the parents, guardians and minors 16-21 years old shall be penalized as follows:

First Offense – P1,000 or 4 hours of community service
Second Offense – P2,000 or 6 hours of community service
Third Offense – P3,000 or imprisonment of thirty (30) days

Those 16-21 years old offenders shall be held liable except for the financial aspect which shall be the liability of the parents.

Section 8. Enforcement/Implementation. This ordinance shall be implemented by the Tuguegarao City Police Force, Punong Barangays, Barangay Kagawads, Barangay Tanods and SK Chairs, Public Safety and Security Office, City Social Welfare and Development and other personnel as deputized by the Local Chief Executive;

Section 9. Public Hearing. This ordinance is enacted under unusual and extreme condition the country is experiencing in general and Tuguegarao City in particular as declared by the National Government through a number of proclamation orders and other rules and regulations promulgated by His Excellency President Rodrigo Duterte and the Provincial Government, hence, the public hearing shall be dispensed with, considering further the urgency and importance of the instant measure.

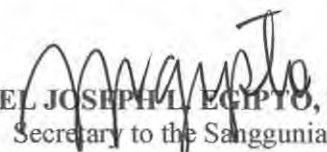
Section 10. Separability Clause. If any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall remain in full force and effect.

Section 11. Repealing Clause. All ordinances and administrative regulations or part/s thereof which are inconsistent with any provisions of this ordinance are hereby repealed, amended or modified accordingly.


Section 12. Effectivity. This ordinance shall take effect immediately after its approval and shall remain so until the lifting of the Modified General Community Quarantine.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor/Presiding Officer
Date: 08-06-2020

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 08-07-2020

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