



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



EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION  
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON AUGUST 26, 2020, WEDNESDAY, 2:00 P.M.,  
 AT THE SANGGUNIAN PANLUNGSOD SESSION HALL

RECEIVED  
 OFFICE OF THE VICE GOVERNOR  
 TUGUEGARAO CITY, CAGAYAN  
 BY: [Signature]  
 DATE: 8/28/2020  
 2:45 PM

**PRESENT:**

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Ronald S. Ortiz	Sangguniang Panlungsod Member
Hon. Arnel T. Arugay	-do-
Hon. Mary Marjorie P. Martin-Chan	Sangguniang Panlungsod Member (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. 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)
Hon. Gilbert S. Labang	Sangguniang Panlungsod Member
Hon. Danilo L. Baccay	-do-

**CITY ORDINANCE NO. 61-08-2020**

**AN ORDINANCE MANDATING THE WEARING OF PROTECTIVE FACE MASK AND FACE SHIELDS IN TUGUEGARAO CITY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

**WHEREAS**, under Section 15, Article II of the 1987 Philippine Constitution, it is the State's policy to protect and promote the right to health of the people;

**WHEREAS**, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, states that "the Local Government Units are authorized to exercise powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of general welfare;"

**WHEREAS**, after the declaration of the 2019 Corona Virus Disease or the COVID-19 as a pandemic by the World Health Organization, the number of confirmed cases throughout the country has increased alarmingly;

**WHEREAS**, a State of Public Health Emergency has been locally declared in Tuguegarao City by virtue of Executive Order No. 15-2020, City Resolution No. 97-08-2020 and CDRRMC Resolution No. 02-2020;

**WHEREAS**, following the issuance of the Memorandum on March 16, 2020 titled: *Community Quarantine over the entire Luzon and further Guidelines for the Management of the Corona Virus Disease (COVID-19) situation*, Executive Order No. 28 was issued to implement strict home quarantine in all households in Tuguegarao City;

**WHEREAS**, COVID-19 is a highly infectious disease transmitted through droplets between human to human;

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**WHEREAS**, aside from social distancing, one of the stringent measures to prevent the transmission of the virus is the wearing of protective gears primarily face masks and face shields;

**WHEREAS**, the use of face mask should be mandatory during this pandemic in order to avoid the spread and transmission of infectious diseases as encouraged by the Department of Health;

**WHEREAS**, one of the latest pronouncements made by the Inter Agency Task Force on the Management of Infectious Diseases is the wearing of any type of face mask whenever a person leaves his/her residence while the Luzon-wide Enhanced Community Quarantine is in effect.

**WHEREAS**, on the other hand, Section 1 of the Joint Memorandum Circular No. 20-04 of DOLE and DTI states that the face shield requirement “applies to all private establishments regardless of economic activity including those located inside special economic zones and other areas under the jurisdiction of Investment Promotion Agencies, such as the Philippine Economic Zone Authority, Clark Development Corporation, Authority of the Freeport Area of Bataan, Aurora Pacific Economic Zone and Freeport.”;

**WHEREAS**, like in public transportation, face shields should be worn in work or public places and must completely cover the sides and length of the face, as prescribed by the World Health Organization (WHO).

**NOW, THEREFORE**, be it **ORDAINED** by the Eighth City Council in session duly assembled, to enact:

**Section 1. Title.** This Ordinance shall be known as “*An Ordinance Mandating the Wearing of Protective Face Mask and Face Shields in Tuguegarao City and Providing Penalties for Violations Thereof.*”

**Section 2. Scope and Coverage.** This Ordinance shall cover all individuals within the territorial jurisdiction of Tuguegarao City who include the following:

- a. Public Market Vendors
- b. Sidewalk/Street Vendors
- c. Ambulant Transient, Itinerant and Push Cart Vendors
- d. Employees in Private Establishments/Sectors
- e. Employees in Public/Government Offices

**Section 3. Definition of Terms.** For the purposes of this ordinance, the following terms shall be defined as follows:

- A. Protective face shield** – refers to a mask, typically made of clear plastic that protects the mucous membranes of the eyes, nose and mouth during patient-care procedures and activities that carry the risk of generating splashes of blood, body fluids, excretions or secretions.
- B. Protective facial masks** refer to facial masks or any improvised facial cover such as earloop masks, indigenous, reusable or do-it-yourself masks, face shields, handkerchiefs, or such other similar protective equipment that can effectively lessen the transmission of COVID-19.
- C. Ambulant, Transient, Itinerant and Push Cart Vendors** refer to a vendor or seller who does not permanently occupy a definite place in the market but one who comes either daily or occasionally to sell his/her goods.
- D. Employees in Private Establishments/Sectors** refer to persons working in a private establishment for pay, in cash or in kind. This category includes, but not limited to the following:
  - a. public transport drivers who do not own the vehicle but drive them on boundary basis;
  - b. persons working in public works projects on private contractors, dock hands or stevedores, cargo handlers in railroad stations, etc.;
  - c. workers through individual business owners, corporations or other non-government agencies; and
  - d. not only persons working for a private industry but also those working for a religious group, missionary, unions, and non-profit organizations.
- E. Employees in Public/Government Offices** refer to those who work in government offices.
- F. Market Vendor** refers to any person who is engaged in the trading and selling of vegetables and fruits at any public or private market in the City of Tuguegarao.



**G. Public Market** refers to the market which is not only to the resort of general public or purchaser but also available to all who wish to offer their services for sale, stalls or places being allotted to those who apply, to the limits of the capacity of the market, on payments of fixed rents or fees.

**H. Sidewalk/Street Vendor** refers to any person engaged in selling, offering for sale or distributing food on a public sidewalk/street of Tuguegarao City.

**Section 4. Type of Protective Face Shield.**

- A. Face shields shall cover the entire face (completely cover the sides and length of the face). If possible, face shields should extend to the ears and below the chin; and
- B. Visor-type face shields shall not be allowed;

**Section 5. Proper Way of Wearing Face Masks and Face Shields.** The proper way of wearing face masks and face shields should be as follows:

- A. The mask should cover the nose and the mouth in order to contain the aerial spread of bacteria or virus by the person wearing the face mask. It should not be left dangling from one ear to the other without covering neither the nose or the mouth or both or any form of wearing which is not defined herein as proper.
- B. Face shields and masks should always be worn together when interacting with colleagues, clients and/or visitors.
- C. Face shields may be removed according to the demands of the work or when the occupational safety and health of the employees so requires.

**Section 6. No Face Mask and Face Shield, No Entry Policy.** All government and private offices and establishments shall implement the “No Face Mask and Face Shield, No Entry Policy” in their premises. No individual shall be allowed to enter or transact business with the said offices and establishments without a face mask and a face shield. A signage to this effect must be visibly posted at their entrances.

**Section 7. No Face Mask and Face Shield, No Operation of Business Policy.** Vendors shall not be allowed to operate their businesses or to sell in the public markets or in the streets of Tuguegarao City without wearing their face masks and face shields.

**Section 8. For purposes of implementation, the following are hereby authorized:**

- a. Barangay Chairs/Punong Barangays and all the Barangay Councilors, are tasked to implement this ordinance in their respective Barangays and are, therefore, duly deputized to apprehend violators and impose the corresponding penalty under Section 5 and 5.a of City Ordinance No. 38-08-2020; fines collected as penalties shall accrue to their Barangay fund.
- b. Tuguegarao PNP Officers and Members of the Public Order and Safety Unit (POSU) Group are hereby authorized to implement this Ordinance within the Centro Barangays and in any part of the territorial jurisdiction of Tuguegarao City; fines collected as penalties by this group of enforcers shall accrue to the City Treasury.
- c. The designated Market Administrator, Mr. Pedro B. Cuntapay, is likewise authorized to implement this Ordinance within the Tuguegarao City Commercial Center and the Tuguegarao City Public Market (Don Domingo) and its satellite markets. Fines collected as penalties by said authorized person shall accrue to the City Treasury.

**Section 9. Penalties.** Not wearing and/or improper wearing of face masks and face shields shall be penalized as follows:

First Offense	-	Fine of Three Thousand Pesos (P3,000.00)
Second Offense	-	Fine of Four Thousand Pesos (P4,000.00)
Third Offense	-	Fine of Five Thousand Pesos (P5,000.00) and/or 10 days of imprisonment upon the discretion of the court

**Section 10. Collection of Penalties.** The fines imposed for violation of this Ordinance shall be paid directly to the City Treasurer’s Office.

**Section 11. Dissemination.** Copies of this ordinance shall be posted in conspicuous places in the city and the City Information Office is directed to cause its dissemination.

**Section 12. 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.

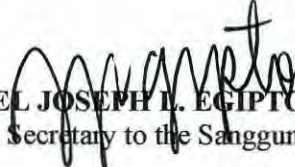
**Section 13. Separability Clause.** If any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other part or provisions hereof which are not affected thereby shall remain in full force and effect.

**Section 14. 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 15. Effectivity.** This Ordinance shall take effect immediately upon its approval and shall continue to take effect during the New Normal or until the lifting of Community Quarantine by proper authorities.

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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: \_\_\_\_\_

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor  
Date: 08-28-2020

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