



Republic of the Philippines  
Province of Misamis Occidental  
MUNICIPALITY OF CALAMBA  
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF CALAMBA, MISAMIS OCCIDENTAL HELD AT THE SB SESSION HALL ON APRIL 17, 2020.

**PRESENT:**

Hon. ANTONIO N. LAWAS, SR.	Municipal Vice Mayor/Presiding
Hon. JESUS C. ENERIO	Sangguniang Bayan Member
Hon. EMMANUEL M. CALE, M.D.	Sangguniang Bayan Member
Hon. REZIE C. LEONARDO	Sangguniang Bayan Member
Hon. RODRIGO T. GARCIA	Sangguniang Bayan Member
Hon. DENNIS M. BUNAO	Sangguniang Bayan Member
Hon. CARIDAD C. LANSANG	Sangguniang Bayan Member
Hon. JOSEPH C. MALAYAO	Sangguniang Bayan Member
Hon. CHERRY F. MAGSAYO	Sangguniang Bayan Member
Hon. MA. ANGEL PRINCESS C. CANDA	FSK Pres./Ex-Officio Member
Hon. LUCIANO O. DUMANHOG	IP's Rep./Ex-Officio Member

**OFFICIAL BUSINESS:**

Hon. KEN ALLEN B. LAWAS	FABC Pres./Ex-Officio Member
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**ORDINANCE NO. 11-s.2020**

**AN ORDINANCE DIRECTING THE MANDATORY WEARING OF ANY PROTECTIVE MASK(S) THAT COVERS THE NOSE AND MOUTH IN PUBLIC AS PROTECTIVE MEASURE(S) TO PREVENT THE SPREAD OF COVID-19.**

**WHEREAS**, the COVID-19 pandemic created alarming levels of spread and severity of which the national and local governments take urgent aggressive action to stop the spread of the virus;

**WHEREAS**, international human rights law guarantees everyone the right to the highest attainable standard of health and obliges governments to take steps to prevent threats to public health and to provide medical care to those who need it;

**WHEREAS**, the Municipal Government Calamba, Misamis Occidental should take measure so that health care is available to all, accessible without discrimination, affordable, respectful of medical ethics, culturally appropriate, and of good quality;

**WHEREAS**, protective mask(s) are effective as barriers from droplets, which is a main transmission route of coronavirus, and some studies have estimated a roughly fivefold protection versus no barrier alone;

**WHEREAS**, wearing protective mask(s) can protect one from passing on the virus and protect one from receiving the virus and the same is crucial for health professionals and/or workers as well as social workers looking after patients as well as recommended from family members who need to care for someone who is ill-ideally both the patient and the caregiver;

**WHEREAS**, the wearing of protective mask(s) complements other established practices such as social distancing and staying at home as much as possible to prevent the spread and/or local transmission of coronavirus;

HON. JESUS C. ENERIO

HON. EMMANUEL M. CALE, M.D.

HON. REZIE C. LEONARDO

HON. RODRIGO T. GARCIA

HON. DENNIS B. BUNAO

HON. CARIDAD C. LANSANG

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HON. CHERRY F. MAGSAYO

HON. KEN ALLEN B. LAWAS

HON. MA. ANGEL PRINCESS CANDA

HON. LUCIANO O. DUMANHOG

WHEREAS, Republic Act No. 1132 mandates the Department of Health and its local counterparts to establish response measures and activities to prevent the spread of infection, or epidemics, and prevent re-occurrence;

WHEREAS, by virtue of the exercise of police power under Section 16 and 177 of the Local Government Code of 1991, it is the duty of the Municipal Government Calamba, Misamis Occidental to adopt an ordinance as shall be necessary to fully provide for and protect the health, safety, comfort, convenience and general welfare of the community and its inhabitants;

WHEREAS, on motion of Hon. Emmanuel M. Cale and duly seconded by all the members present;

NOW THEREFORE, be it ORDAINED by the Sangguniang Bayan of Calamba, Misamis Occidental, IN BODY ASSEMBLED, to ADOPT as it is hereby ADOPTED, the herein stated ordinance, to wit:

**SECTION 1. TITLE.** This ordinance shall be known as the Protective Mask Ordinance of 2020.

**SECTION 2. SCOPE AND APPLICATION.** This ordinance shall apply to every natural person, whether resident, non-resident or even transients, within the territorial jurisdiction of the Municipality of Calamba, Misamis Occidental.

**SECTION 3. DEFINITION OF TERMS.**

- a) **Protective Mask(s)** – refers to the any face mask that covers the nose and month such as, but not limited to, surgical masks, N95 masks, ear-loop masks, indigenous, reusable or do-it-yourself masks, face shields, handkerchief, or such other protective equipment that effectively lessen the transmission of COVID-19.
- b) **Public Place(s)** – is generally an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right of by invitation, expressed or implied, whether by payment of money or not, such as public markets, supermarkets, departments stores, public plazas, churches, malls, pharmacies, government buildings and offices as well as common carriers and public conveyance (*Public Utility Jeepneys, Buses, Vans, among others*). It does not include, however a place when it is exclusively used by one or more individuals for a private gathering or other personal purpose;
- c) **Natural Person** – refers to resident, non-resident or even transients, found within the territorial jurisdiction of the Municipality of Calamba, Misamis Occidental.

**SECTION 4. PROHIBITED AND PUNISHABLE ACT(S).** It is prohibited and punishable for any natural person to be in public places including work area(s) and common carriers and public conveyance (*Public Utility Jeepneys, Buses, Vans, among others*) without using protective mask(s).

**SECTION 5. PENALTIES.**

- First Offense** - violators will be reprimanded and be required to go home to secure a protective mask;
- Second Offense** - a fine of P500.00 and/or Community Service for one (1) day;
- Third Offense** - a fine of P1,000.00 and/or Community Service for three (3) days.

**SECTION 6. COMPROMISE.** The violator has the option to enter into a compromise with the local government by paying the administrative fine in the amount of P500.00. This option to enter into a compromise is available only once or during his/her second offense.

**SECTION 7. WHEN AND WHERE TO PAY THE ADMINISTRATIVE FINE.** Within three (3) days from receipt of the citation ticket, the violator shall pay the administrative find in the Office of the Municipal Treasurer.

HON. JESUS C. ENERIO

HON. DENNIS B. BUNAO

HON. KEN ALLEN E. LAWAS

HON. EMMANUEL M. CALE, M.D.

HON. CARIDAD C. LANSANG

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**SECTION. FAILURE TO PAY THE ADMINISTRATIVE FINE.** If the violator fails to refuses to pay the administrative fine within three (3) days from receipt of the citation ticket, the violator will face an appropriate case(s) for violation of this ordinance before the proper courts of law.

**SECTION 9. IMPLEMENTING BODIES.** The Philippine National Police, Barangay Council Members, Barangay Health Emergency Teams, Barangay Tanods and other Barangay Officials and Employees shall perform the following, to wit;

1. To ensure and require all persons who goes out to public places for whatever purpose shall use face mask of whatever kind;
2. To ensure and require that all persons who goes out to attend government sanctioned activities in public places such as but not limited to relief operations/distributions, vaccination of new born babies, pregnancy monitoring, mediation/conciliation proceeding and the like shall use face mask of whatever kind and observe stringent social distancing (1 and half meter distance);
3. To require all frontline service providers the use of protective mask of whatever kind and observe social distancing while in the performance of all their mandated duties and functions; and
4. To ensure that all persons going out and coming in through community checkpoints as allowed by law must be required the use of protective mask of whatever kind.

**SECTION 10. DURATION OF THE IMPLEMENTATION.** This ordinance shall be effective during the entire period of the community quarantine and for a period of protective after the lifting of the community quarantine.

**SECTION 11. ALLOCATION OF FUNDS.** In order to ensure the protective masks are made available to the general public, the barangay shall provide face mask charge to barangay funds and/or producing indigenous, reusable or do-it-yourself masks.


**SECTION 12. REPEALING CLAUSE.** Any existing Ordinance, Rules and/or Regulations or parts thereof, that are inconsistent with this Ordinance are hereby repealed and/or modified accordingly.

**SECTION 13. SEPARABILITY CLAUSE.** Any part or provision of this Ordinance which is declared invalid or unconstitutional by a competent court of law shall not affect the remaining operative part or provision hereof.

**SECTION 14. EFFECTIVITY.** This Ordinance shall take effect upon its approval.

**ENACTED:** This 17<sup>th</sup> day of April 2020 at Calamba, Misamis Occidental,

I **HEREBY CERTIFY** to the correctness of the Ordinance No. 11-s.2020 enacted by the 21<sup>st</sup> Sangguniang Bayan of Calamba, Misamis Occidental during its Special Session on April 17, 2020 at Sangguniang Bayan Session Hall, Calamba, Misamis Occidental.




  
**BEVERLY B. SAMOSA, Ph.D.**  
Secretary to the Sanggunian

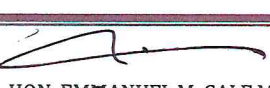
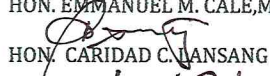

**ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED:**

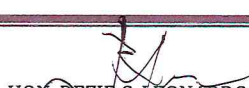


  
**Hon. ANTONIO N. LAWAS, SR.**  
Municipal Vice Mayor/Presiding



**APPROVED:** Ordinance No. 11-s.2020 on 4/24/2020

  
**Engr. EZEL T. VILLANUEVA**  
Municipal Mayor

  
HON. JESUS C. ENERIO  
  
HON. DENNIS B. BUNAO  
  
HON. KEN ALLEN B. LAWAS

  
HON. EMMANUEL M. CALE, M.D.  
  
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