



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN OF SAN LORENZO, GUIMARAS HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JULY 08, 2020.

PRESENT: Hon. Constantino Cordero, Jr.Vice Mayor
(Presiding Officer)
Hon. Ariel C. Zambarrano SB Member
Hon. Jimmy O. GajoSB Member
Hon. John G. GarganeraSB Member
Hon. Peter TanaleonSB Member
Hon. Ercedita M. Espago.....SB Member
Hon. Noel G. TacadaoSB Member
Hon. Lino R. Galea.....SB Member
Hon. Jimmy G. Gallego.....SB Member
Hon. Nelly S. Rentoy Liga President
Hon. Pinky Marie E. Bercida..... SK Fed. Pres.

MUNICIPAL ORDINANCE NO. 2020-02
Series of 2020

AN ORDINANCE ESTABLISHING THE POLICIES AND REGULATIONS ON THE OPERATION OF BUSINESS ESTABLISHMENTS AND PUBLIC TRANSPORTATION IN THE MUNICIPALITY OF SAN LORENZO, GUIMARAS TO PREVENT EMERGING AND RE-EMERGING INFECTIOUS DISEASES, EPIDEMICS AND OTHER SIMILAR PUBLIC HEALTH EMERGENCIES.

Authors: Hon. Peter T. Tanaleon
Hon. John G. Garganera
Hon. Constantino T. Cordero, Jr.

Be it ordained by the Sangguniang Bayan of San Lorenzo, Guimaras that:

SECTION 1. Title. This ordinance shall be known as "AN ORDINANCE ESTABLISHING THE POLICIES AND REGULATIONS ON THE OPERATION OF BUSINESS ESTABLISHMENTS AND PUBLIC TRANSPORTATION IN THE MUNICIPALITY OF SAN LORENZO, GUIMARAS TO PREVENT EMERGING AND RE-EMERGING INFECTIOUS DISEASES, EPIDEMICS AND OTHER SIMILAR PUBLIC HEALTH EMERGENCIES."

SECTION 2. Coverage. All business establishments and public transportation operating within the territorial jurisdiction of the Municipality of San Lorenzo, Guimaras are covered by this Ordinance.

SECTION 3. Definition. As used in this ordinance, the following terms shall mean:

Business Establishment – any person, natural or juridical, whether single proprietorship, partnership or corporation, including a government-owned and -controlled corporation or a government entity exercising its proprietary functions, engaged in, or doing business in the Municipality of San Lorenzo, either in selling goods or providing services.

Epidemic – refers to an occurrence of more cases of infectious disease than normally expected within a specific place or group of people over a given period of time.

Face Mask – a protective mask covering the nose and mouth. It may either be a surgical, N95 or " do-it-yourself " face masks. The term, however, does not include handkerchief , shirt or towel used to cover the nose and mouth.

Notifiable Infectious Disease - refers to an infectious illness which must be reported to local health authorities which is caused by a specific toxic substance, occupational exposure or infectious agent, which affects a susceptible individual, either directly or indirectly, as from an infected animal or person, or indirectly through an intermediate host, vector, or the environment.

Physical Distancing – a non-pharmaceutical intervention or measure taken to prevent the spread of a contagious disease by maintaining a physical distance of at least one (1) but preferably two (2) meters between people and avoiding gathering together in large groups.

Public Health Emergency –refers to an occurrence or imminent threat of an infectious illness or health condition that is caused by the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin, a natural disaster, a chemical attack or accidental chemical release and which poses a high probability of large number of deaths, injuries or infection in the municipality.

Passenger Vessel – refers to any boat or other floating craft of any kind carrying passengers for compensation.

Tricycle-for-Hire – refers to any motorcycle fitted or attached with a single-wheeled side-car or any three-wheeled motorized vehicle used to convey or transport passengers at a fixed rate or fare to their places of destination.

SECTION 4. Regulatory Provisions. In addition to the pertinent guidelines, rules and regulations as may be issued by the World Health Organization (WHO), the Department of Health (DOH) and other concerned agencies of the national government, the following policies and regulations shall be institutionalized on the operation of business establishments and public transportation to prevent emerging and re-emerging infectious disease, epidemic and other similar public health emergencies in the Municipality of San Lorenzo, Guimaras .

4.1.On Business Establishments

4.1.1 Mandatory Use of Face Mask

Business establishments must ensure that every person is required to properly wear face mask while transacting business inside their business premises. For this purpose, they shall strictly prohibit entry of any person who is not properly wearing a face mask .

Business establishments must likewise ensure that their employees shall strictly comply with the proper wearing of face mask within their business premises.

4.1.2 Strict Physical Distancing

4.1.2.1. Business establishments must ensure that all persons are required to observe strict physical distancing while inside their business premises.

4.1.2.2. Business establishments must conspicuously display at or near the entrance of the establishment a full copy of this Ordinance and a notice to the public on the mandatory wearing of face mask and strict observance of physical distancing.

4.1.2.3. Business establishments shall designate a floor or pavement markings within their business premises to ensure that the required physical/social distancing is maintained at all times.

4.1.2.4 The owner, president, general manager, or such other officer in-charge of business establishment shall designate adequate personnel and adopt appropriate measures whenever necessary to ensure the proper observance of social distancing of people within their premises.

4.1.3. Provisions of Foot Bath, Handwashing and Sanitation Area

Business establishments must ensure the availability of footbaths, hand washing or sanitation stations within the business premises frequented by the public or those in high-touch areas. Provisions of soap, water, and alcohol or sanitizer must be made readily available for use by the customers. Whenever practicable, business establishments shall likewise procure thermal scanners in order to check the body temperature of their customers.

4.1.4 Provision of Impermeable Barrier for Business Establishments that do not require entry inside the business Premises.

Business establishments just like sari-sari stores, pharmacies and the like that do not necessitate the entry of customers/clients inside the premises of their establishments shall only be required to put up impermeable barrier to prevent direct contact of customers and seller.

4.2. On Tricycle-for-Hire

4.2.1. Mandatory Use of Face Mask

Operators and/or drivers of tricycle-for-hire must ensure that every person is required to properly wear face mask while on board a tricycle-for-hire. For this purpose, they shall refuse to convey a passenger who is not properly wearing a face mask .

4.2.2. Posting of Notice

Tricycle operators must conspicuously display at the tricycle unit a notice to the public on the proper wearing of face mask while on board a tricycle-for-hire.

4.2.3. Installation of Barrier or Partition

Tricycles-for-hire shall be allowed to cater three (3) passengers at a time, provided, that the tricycle unit is equipped with an impermeable barrier, division or partition in such a manner that the passenger at the front seat is not in direct contact with the passenger at the back seat and the driver is not in direct contact with the back rider. In any case, only one passenger shall be allowed to sit at the front seat, back seat and as back rider.

4.3. On Passenger Vessels

4.3.1. Mandatory Use of Face Mask

Operators and crews of passenger vessels must ensure that every person is required to properly wear face mask while on board a passenger vessel. For this purpose, they shall refuse to convey a passenger who is not properly wearing a face mask.

4.3.2. Strict Physical Distancing

4.3.2.1. Operators and crews of passenger vessels must ensure that all passengers maintain strict physical distancing while on board a passenger vessel.

4.3.2.2. Operators of passenger vessels must conspicuously display a notice to the public on the mandatory wearing of face mask and strict observance of physical distancing;

4.3.2.3. Operators of passenger vessels shall designate markings in the vessel to ensure that the required physical/social distancing is maintained at all times.

4.3.3. Provisions of Water, Alcohol or Sanitizer

4.3.3.1. Water, alcohol or sanitizer must be made readily available for use by the passengers and crews. Whenever practicable, the operator of a passenger vessel shall likewise procure thermal scanners in order to check the body temperature of their passengers.

SECTION 5. Penalty Clause. Any business establishment or public transportation who shall violate Section 4 of this ordinance shall be administratively penalized as follows:

5.1 On Business Establishments. Any business establishment that shall violate **Section 4.1** hereof shall be penalized as follows:

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|-----------------------|--|
| <i>First Offense</i> | Reprimand or Warning and a fine of Five Hundred (500.00) Pesos. |
| <i>Second Offense</i> | Suspension of permit or franchise for a period not exceeding thirty (30) days and a fine of One Thousand (1,000.00) Pesos. |
| <i>Third Offense</i> | Revocation of business permit. |

5.2 On Tricycles-for-Hire. Any tricycle-for-hire that shall violate **Section 4.2** hereof shall be penalized as follows:

| | |
|-----------------------|---|
| <i>First Offense</i> | Reprimand or Warning and a fine of Three Hundred (300.00) Pesos |
| <i>Second Offense</i> | Suspension of MTOP or franchise for a period not exceeding ten (10) days and a fine of Five Hundred (500.00) Pesos. |
| <i>Third Offense</i> | Revocation of MTOP or franchise. |

5.3 On Passenger Vessels. Any passenger vessel that shall violate **Section 4.3** hereof shall be penalized as follows:

| | |
|----------------|--|
| First Offense | Reprimand or Warning and a fine of Five Hundred (500.00) Pesos |
| Second Offense | Suspension of permit or franchise for a period not exceeding thirty (30) days and a fine of One Thousand (1,000.00) Pesos. |
| Third Offense | Revocation of business permit. |

SECTION 6. Municipal Public Health Emergency Task Force . There shall be established a Municipal Public Emergency Task Force in the Municipality of San Lorenzo, Guimaras , the composition of which shall be as follows :

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|-------------------|---|
| Chairperson | - Municipal Mayor |
| Vice- Chairperson | - SB Member, Chairperson Committee on Health |
| Members | - Municipal Health Officer SB Member, Chairperson Committee on Transportation President, Liga ng mga Barangay Chief of Police, San Lorenzo Police Station Local Disaster Risk Reduction and Management Officer Municipal Social Welfare and Development Officer Representative from the Business Sector Representative from the Tricycle-for-Hire Operators/Drivers Representative from the Owners of Passage Vessels |

The Municipal Mayor may designate such other additional members as he/she may deem necessary.

SECTION 7. Powers, Duties and Functions of the Municipal Public Health Emergency Task Force .The Municipal Public Health Emergency Task Force shall have the following powers, duties and functions :

7.1 . To recommend , oversee and enforce programs and measure for the effective implementation of this ordinance ;

- 7.2 . To convene/conduct meeting as often as may be necessary or upon the request of the Municipal Mayor ;
- 7.3 . To monitor proper implementation of public health emergency protocols and guidelines issued by the local government unit and other concerned agencies of the national government ;
- 7.4 . To organize a monitoring team that will conduct regular inspection on business establishments and public transportation to ensure compliance with the provisions of this ordinance and other pertinent issuances of the national government ; and
- 7.5 . To exercise such other related functions as it may deem necessary .

SECTION 7. Separability Clause. If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 8. Applicability Clause. All other matters relating to the impositions in this Ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

SECTION 9. Repealing Clause. All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

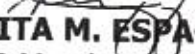
SECTION 10. Effectivity. This ordinance shall take effect the day following its posting and publication as provided by Section 59 of Republic Act No. 7160 and Article 114 of its Implementing Rules and Regulations (IRR), whichever occurs later.

APPROVED:

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Bayan during its regular session held on July 8 , 2020.


ARIEL C. ZAMBARRANO
SB Member


JOHN G. GARGANERA
SB Member


ERCEDITA M. ESPAGO
SB Member


LIZA DE LA TORRE GALLENES
Secretary to the Sangguniang Bayan


JIMMY O. GAJO
SB Member


PETER T. TANALEON
SB Member


NOEL G. TACADAO
SB Member


LINO R. GALEA
SB Member


JIMMY G. GALLEGO
SB Member


NELLY S. RENTOY
Liga President


PINKY MARIE E. BERCIDA
SK Federation President

ATTESTED:


CONSTANTINO T. CORDERO, JR.
Vice Mayor
Presiding Officer

APPROVED:


NINFA G. GAJO
Municipal Mayor