



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 35 S. 2020

**AN ORDINANCE REPEALING ORDINANCE NO. 21 S. 2020
KNOWN AS THE CURFEW ORDINANCE OF BATANGAS CITY,
RESTORING INTO EFFECT ORDINANCE NO. 16 S. 1999
KNOWN AS THE CURFEW ORDINANCE FOR MINORS BELOW 18 YEARS OLD,
AND FOR OTHER PURPOSES**

**AUTHOR : COUN. OLIVER Z. MACATANGAY
CO-AUTHORS : VICE MAYOR AND ALL COUNCILORS**

WHEREAS, the General Welfare Clause of the Local Government Code of 1991 authorizes the enactment of ordinances which shall enhance economic prosperity and social justice, promote full employment among residents, maintain peace and order, and preserve the comfort and convenience of the inhabitants;

WHEREAS, COVID-19 pandemic has wrought immeasurable uncertainties in the life of the Batangueños which necessitated the City Government to enforce stringent limitations in the movement of individuals and in their enjoyment of otherwise normal activities;

WHEREAS, the immense public health crisis results to the alarming decimation of the economy seeping into the different sectors of the society;

WHEREAS, the City Government has to strike a balance between ensuring the health and safety of the populace and assisting the economy to bounce back to life;

WHEREAS, Ordinance No. 21 S. 2020 otherwise known as "An Ordinance Providing for the Curfew Hours in Batangas City and Providing Penalties for Violation Thereof" was enacted for the purpose of limiting the movement of people outside their residences and avert the risk of COVID-19 transmission;

WHEREAS, the passage of Ordinance No. 21 S. 2020 effectively superceded the provisions of Ordinance No. 16 S. 1999 otherwise known as "An Ordinance Imposing a Curfew for Minors Below 18 Years Old and Providing Penalties for Violation Thereof and For Other Purposes";

WHEREAS, there is a need to ease the protocols on movement of individuals in relation to the operation of businesses permitted to operate under the Omnibus Guidelines on Community Quarantine with Amendments issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases.

NOW THEREFORE, BE IT ENACTED by the Sangguniang Panlungsod in session assembled:

SECTION 1. SHORT TITLE. – This Ordinance shall be known and cited as the New Curfew Ordinance of Batangas City.

SECTION 2. COVERAGE. – This Ordinance shall cover all persons found within the territorial jurisdiction of Batangas City.



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Continuation of Ordinance No. 35 S. 2020

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KNOWN AS THE CURFEW ORDINANCE FOR MINORS BELOW 18 YEARS OLD,
AND FOR OTHER PURPOSES**

SECTION 3. EXPRESS REPEAL. – Ordinance No. 21 S. 2020 entitled “An Ordinance Providing for Curfew Hours in Batangas City and Providing Penalties for Violation Thereof” is hereby expressly repealed and rendered ineffective.

SECTION 4. RESTORING INTO EFFECT. – Ordinance No. 16 S. 1999 otherwise known as “An Ordinance Imposing a Curfew for Minors Below 18 Years Old and Providing Penalties for Violation Thereof and For Other Purposes” is hereby restored into effect in toto.

SECTION 5. COMPLIANCE WITH HEALTH AND SAFETY LIMITATIONS. – The relevant limitations provided in the guidelines of national government agencies and instrumentalities, and by City Ordinances, shall be complied with in the implementation of this new curfew ordinance:

- a. Persons who are 65 years old and above, those with immunodeficiency, comorbidity or other health risks, and pregnant women, including any person who resides with the aforementioned, shall be 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.
- b. Persons allowed movement outside of residence in relation to this Ordinance shall observe proper health protocols in public places, including the use of facemask and physical distancing.

SECTION 6. SEPARABILITY CLAUSE. – If for any reason or reasons, any part of this ordinance shall be held unconstitutional or invalid other parts hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. REPEALING CLAUSE. – All provisions of ordinances, executive orders, or resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 8. EFFECTIVITY. – This Ordinance shall take effect after approval by the City Mayor and completion of ten (10) days posting thereof in conspicuous places in Batangas City.



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KNOWN AS THE CURFEW ORDINANCE OF BATANGAS CITY,
RESTORING INTO EFFECT ORDINANCE NO. 16 S. 1999
KNOWN AS THE CURFEW ORDINANCE FOR MINORS BELOW 18 YEARS OLD,
AND FOR OTHER PURPOSES**

ENACTED by the Sangguniang Panlungsod on this 5th day of November, 2020


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: NOV 06 2020

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON NOVEMBER 5, 2020 AT THE SANGGUNIAN SESSION HALL

PRESENT:

| | |
|---|-------------------|
| Hon. Emilio Francisco A. Berberabe Jr., | Presiding Officer |
| Hon. Alyssa Renee A. Cruz, | Councilor |
| Hon. Aileen Grace A. Montalbo, | " |
| Hon. Nestor E. Dimacuha, | " |
| Hon. Karlos Emmanjuel A. Buted, | " |
| Hon. Gerardo A. Dela Roca, | " |
| Hon. Oliver Z. Macatangay, | " |
| Hon. Nelson J. Chavez, | " |
| Hon. Julian B. Villena, | " |
| Hon. Michael Thomas T. Pastor, | " |
| Hon. Isidra "Ched" M. Atienza, | " |
| Hon. Maria Aleth A. Lazarte, | " |
| Hon. Lorenzo A. Gamboa, Jr., | " |
| Hon. Angelito "Dondon" A. Dimacuha, | ABC-Rep. |
| Hon. Marjorie A. Manalo, | SK-Fed. Pres. |

"On motion of Councilor Macatangay duly seconded, the following Resolution was Adopted:


RESOLUTION NO. 330 S. 2020

APPROVING THE ORDINANCE REPEALING ORDINANCE NO. 21 S. 2020 KNOWN AS THE CURFEW ORDINANCE OF BATANGAS CITY, RESTORING INTO EFFECT ORDINANCE NO. 16 S. 1999 KNOWN AS THE CURFEW ORDINANCE FOR MINORS BELOW 18 YEARS OLD, AND FOR OTHER PURPOSES, EXEMPTING FROM THE THREE-READING RULE

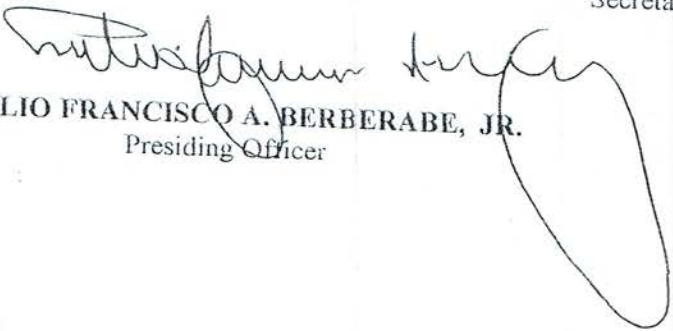
RESOLVED, to approve the Ordinance entitled: "An Ordinance Repealing Ordinance No. 21 S. 2020 Known as the Curfew Ordinance of Batangas City, Restoring Into Effect Ordinance No. 16 S. 1999 Known as the Curfew Ordinance for Minors Below 18 Years Old, and for Other Purposes", exempting from the Three-reading Rule of the Sangguniang Panlungsod.

UNANIMOUSLY APPROVED.

I hereby certify that the foregoing Resolution No. 330 S. 2020 was approved by the Sangguniang Panlungsod of Batangas City during its Special Session held on November 5, 2020.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

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REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPTS FROM THE MINUTES OF THE SPECIAL SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
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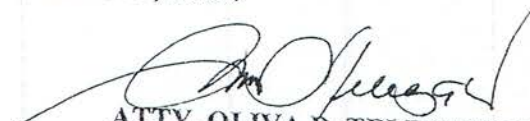
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BAGONG PAG-UUSAPAN


1. Letter of the City Mayor, Beverley Rose A. Dimacuha requesting for the passage of an Ordinance Repealing Ordinance No. 21 S. 2020 "An Ordinance Providing for Curfew Hours in Batangas City and Providing Penalties for Violation Thereof" and restoring the former Ordinance No. 16 S. 1999 "Curfew Ordinance of Batangas City" which prohibits minors from loitering between 10 pm until 4 am.

Sinabi ni Konsehal Macatangay na sa kadahilanang ang liham ng Punong Lungsod, Beverley Rose A. Dimacuha ay humihiling ng agarang konsiderasyon, iminungkahi niya na aprubahan na ng Kapulungan at huwag nang idaan sa Three-reading Rule ang panukalang ordinansa na may pamagat na: "An Ordinance Repealing Ordinance No. 21 S. 2020 Known as the Curfew Ordinance of Batangas City, Restoring Into Effect Ordinance No. 16 S. 1999 Known as the Curfew Ordinance for Minors Below 18 Years old, and for Other Purposes". Ang mungkahi ay pinangalawahan at sinang-ayunan ng lahat.

I hereby certify that the foregoing Excerpts was approved by the Sangguniang Panlungsod of Batangas City during its Special Session held on November 5, 2020.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer

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Republic of the Philippines
Batangas City
Office of the City Mayor

November 5, 2020

THE HONORABLE SANGGUNIANG PANLUNGSOD
Batangas City

Thru: **The Honorable Emilio Francisco A. Berberabe Jr.**
Vice Mayor and Presiding Officer

Gentlemen and Mesdames:

In order to jumpstart the local economy, with due and proper regard to the strict observance of mandated health and safety protocols, there is an urgent need to ease quarantine and curfew restrictions in the City. This is in consonance with National Government policies to encourage more economic activities.

Apropos, this is to request the passage of an Ordinance repealing Ordinance No. 21. S. 2020 "An Ordinance Providing for Curfew Hours in Batangas City and Providing Penalties for Violation Thereof" and restoring the former Ordinance No. 16 S. 1999 "Curfew Ordinance of Batangas City" which prohibits minors from loitering between 10pm until 4 am.

It is understood that IATF Resolution directing persons aged below 15 and 65 and above to stay at home, and subsequent issuances, will also be in effect.

For immediate and urgent consideration.

Very truly yours,

BEVERLEY ROSE A. DIMACUHA
City Mayor