



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 4 S. 2020

**AN ORDINANCE REQUIRING THE WEARING OF FACE MASK,
PROVIDING PENALTIES FOR VIOLATION THEREOF,
AND FOR OTHER PURPOSES**

AUTHOR : COUN. OLIVER Z. MACATANGAY

**CO-SPONSORS : VICE MAYOR EMILIO FRANCISCO A. BERBERABE JR.
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WHEREAS, enshrined in the Constitution is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the General Welfare Clause of the Local Government Code of 1991 echoes the Constitution in providing that local government units shall promote health and safety of the people;

WHEREAS, the emergence of COVID-19 and its progression into a global pandemic, and the lack of any known cure, medicine or therapy to prevent or treat the disease, requires that the populace take stringent personal and social hygiene practices;

WHEREAS, Proclamation Nos. 922 S. 2020 declared a State of National Health Emergency Throughout the Philippines due to COVID-19 and the Memorandum from the Executive Secretary dated 18 March 2020 directed all local government units to adopt, coordinate and implement the Guidelines on the Imposition of Enhanced Community Quarantine and the Stringent Social Distancing Measures over the entire Luzon;

WHEREAS, campaigns of the Department of Health push for a culture of self-protection from infectious diseases through the use of physical protective gear;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod:

SECTION 1. SHORT TITLE. – This Ordinance shall be known and cited as the “Face Mask Ordinance of Batangas City”.



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SECTION 2. COVERAGE. – This Ordinance shall cover all natural persons residing or sojourning in Batangas City whenever going out of the premises of homes or residences and enter a peopled place or mingle with the public, provided that during the existence of COVID-19 and other infectious diseases, the wearing of facemasks shall be mandatory, provided furthermore that in the absence of any such epidemic, the wearing of facemask shall be mandatory for persons having any ailment or health conditions in order to protect himself and the public from possible infections.

SECTION 3. DEFINITION OF TERMS. – Whenever used in this ordinance, terms shall be construed to have the following meaning:

- a. **Contagious diseases** shall mean diseases such as flu, colds, or strep throat, or any similar health condition that may spread from person to person through direct physical contact, like touching or kissing a person who has the infection, or when an infectious microbe travels through the air after someone nearby sneezes or coughs.
- b. **Epidemic** shall mean a widespread occurrence of an infectious disease in a community at a particular time.
- c. **Face mask** shall mean a protective covering for the face more particularly the nose, mouth, and chin area, and which includes, but is not limited to, surgical mask, N95 respirator, FFP (Filtering Facepieces) mask, activate carbon mask, cloth mask, paper mask, and sponge mask.
- d. **Health condition** shall mean any ailment or illness, disability, or disease that affects a person's ability to function or enjoy life.

SECTION 4. MANDATORY USE OF FACE MASK. – It shall be mandatory for all natural persons residing or sojourning in, or travelling to or within, Batangas City, regardless of duration, during the existence of an epidemic or other public health emergency such as, but is not limited to COVID-19 and other highly contagious diseases, to wear face mask properly covering the nose, mouth and chin to prevent the spread of virus, bacteria, or any submicroscopic infectious agents that cause diseases in humans.

SECTION 5. USE OF FACE MASK IN THE ABSENCE OF HEALTH EMERGENCY.– The wearing of the face mask prescribed under the preceding Section shall be optional during times when there is no epidemic or public health emergency, provided that wearing of face mask shall still be mandatory for all persons suffering from any health condition in order to protect himself and the public from possible infections.

SECTION 6. SUPPLEMENTARY PROVISIONS. – For purposes of the effective implementation of this Ordinance, the pertinent provisions of RA 9271, also known as The



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Quarantine Act of 2004, and RA 11332, also known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, are hereby made supplementary to this Ordinance.

SECTION 7. PENALTY. - Any person found violating the requirement provided in Section 4 and 5 of this Ordinance shall suffer the penalty of imprisonment of not more than six (6) months or fine of not less than Five Thousand Pesos (P5,000.00) or both in the discretion of the Court.


SECTION 8. SEPARABILITY CLAUSE. - Should any reason, any part or provision of this Ordinance is declared invalid or unconstitutional, any part or provision not affected thereby shall remain in full force and effect.


SECTION 9. REPEALING CLAUSE. - All ordinances, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 10. EFFECTIVITY. - This Ordinance shall take effect after completion of posting thereof in conspicuous places in Batangas City.

ENACTED by the Sangguniang Panlungsod this 7th day of April, 2020.

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Presiding Officer


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: APR 08 2020