

DRAFT ORDINANCE

IMPOSING CURFEW IN THE MUNICIPALITY OF TAYTAY FOR THE PURPOSE OF CONTAINING OR MITIGATING THE SPREAD OF COVID-19 TO ITS INHABITANTS

WHEREAS, it is a declared policy in the Constitution that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, on March 8, 2020, President Duterte issued Proclamation 922 declaring a State of Public Health Emergency in the advent of the threat of the COVID -19 disease;

WHEREAS, community quarantines are now being implemented in different parts of the country in order to prevent the spread of COVID-19;

WHEREAS, the Department of Health recommended to the public to avoid unnecessary travels and to avoid crowded places in order to prevent and control the spread of the disease;

WHEREAS, the right to travel shall not be impaired except in the interest of national security, public safety, or public health, as may be provided by law;

WHEREAS, imposing a curfew at the Municipality of Taytay and restricting the movements of its inhabitants to extent allowed by law is in accord with the issuance of the President and of the Department of Health and is in the interest of public health and safety;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Taytay, Rizal in a session duly assembled that:

SECTION 1. Curfew Hours. In the wake of the threat of the spread of the COVID-19 disease, non-essential movements outside the place of residence is prohibited and no person within the Municipality of Taytay, Rizal shall be allowed to roam in the roads, streets plazas, parks or other public places or establishments, from 8:00 p.m. to 5:00 a.m. until the declaration of Public Health Emergency is lifted;

SECTION 2. Exemptions: The following are hereby exempted:

- A. Health workers or providers;
- B. Municipal Officials who are performing their responsibilities;
- C. Those who go outside to seek medical attention;
- D. Employees whose start or end of their work-shift is within the prohibited hours or those who are returning to their residence after employment;
- E. Those who are delivering or purchasing medicines;
- F. Those who go outside in order to purchase or get food or other basic necessities, *provided that* they immediately return to their place of residence after purchasing or getting the same;
- G. Public transportation providers and personnel of public utilities;
- H. Municipal or barangay peace officers; and

- I. Other persons who respond or are responding to emergency situations. For this purpose, an emergency situation is one that involves the potential injury of any person or the loss of life or property.

SECTION 3. Authority to Interrogate. Within the limits allowed by law, municipal, barangay and other peace officers may interrogate any person who is found outside during the prohibited hours in order to know his identity and residence, purpose of being outside and place of destination. No other information shall be required from any person.

SECTION 4. Penalties. Any person violating this ordinance shall be imposed the following penalties:

- A. A fine of P1,000.00 and imprisonment for five (5) days, or both fine and imprisonment, upon the discretion of the court; and
- B. In case an individual who violates this ordinance uses a vehicle, tricycle, motorcycle or other mode of transportation, his license shall be confiscated and he shall be required to pay a fine therefor in the amount of P2,500.00, or the means of transportation shall be impounded, in addition to the imposition of the imprisonment prescribed in paragraph (a.) above. Impounded items shall be returned to their owner after the lifting of the declaration of Public Health Emergency.

Section 5. Separability Clause. - If for any reason, any provision, of this Ordinance is declared not valid, the remaining provisions hereof shall remain in full force and effect.

Section 6. Effectivity. - This Ordinance shall take effect immediately upon approval of the Local Chief Executive and posting in at least two conspicuous places in the municipality.