ORDINANCE NO. 03 – 095

AN ORDINANCE PROVIDING FOR THE QUARANTINE OF SUSPECTED SEVERE ACUTE RESPIRATORY SYNDROME (SARS) INFECTED PERSONS, IMPOSING SANCTIONS AND PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

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Sponsored by:
Hon. Dr. Nicanor L. Echavez
Hon. Rufino B. Joaquin
Hon. Elmer S. Espeleta
Hon. Bal Niebes
Hon. Allan Rey A. Camilon
Hon. Atty. Patricio L. Boncayao, Jr.
Hon. Melchor R. Teves
Hon. Aldrin L. San Pedro
Hon. Atty. Raul R. Corro
Hon. Atty. Icasiano M. Dela Rea
Hon. Francis Ian T. Bagaising
Hon. Rene Carl S. Cayetano
Hon. Mario E. Bulay, Jr.
Hon. Mamoto T. Sevilla, Jr.
Hon. Santiago V. Carlos, Jr.
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

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WHEREAS, Article II, Section 15 of the Philippine Constitution states that "the State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, Section 458(a)(5)(xii) of Republic Act 7160 otherwise known as the Local Government Code of 1991 provides that "the Sangguniung Panglungsod, as the legislative body of the city, shall enact ordinances, approve resolutions, and appropriate funds for the general welfare of the City and its inhabitants xxx and shall:

(5)(xii). Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

WHEREAS, it is a declared policy that local government units shall promote and ensure the protection of the health and safety of its inhabitants from all forms of diseases, especially those of epidemic effects;

WHEREAS, the World Health Organization (WHO) reported that the SARS virus has caused an alarming number of deaths in about twenty-seven (27) countries believed to be affected or suspected of having probable cases of SARS;

WHEREAS, the Department of Health (DOH) has declared that the SARS virus is now in the country and classified it as a quarantinable disease because of its highly contagious nature and taking into consideration the danger it poses to public health;
WHEREAS, there is a need to provide a mechanism for the quarantine of residents who are suspected to have been infected with the deadly virus;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Members of the Sangguniang Panlungsod duly assembled the following:

Section 1. TITLE. This shall be known as the Anti-SARS Ordinance of 2003.

Section 2. DEFINITION OF TERMS. For purposes of this ordinance, the following terms shall be defined as follows:

a. SARS (Severe Acute Respiratory Syndrome) – a typical pneumonia caused by a new form of corona virus, related to the virus, which causes flu.

   a.1. A confirmed case of SARS is one who has fever of more than 38 degrees centigrade, develops body weakness and respiratory signs and symptoms like cough, sore throat and short of breath and had travel to SARS infected countries or had close contact with a confirmed SARS victim.

   a.2. A suspected case of SARS is one who has lived with, cared for, or closely worked with a confirmed case and who also develops cough, sore throat and shortness of breath.

b. QUARANTINE – detention or isolation for the purpose of preventing the spread of epidemic diseases.

c. DOH – Department of Health

Section 3. QUARANTINE OF SUSPECTED SARS VICTIM. Any individual who is identified or determined by the DOH of the Local Health Officials to be suffering from the symptoms of the SARS virus shall be required to undergo testing and be quarantined in either the San Lazaro Hospital in Manila or the Research Institute for Tropical Medicine in the City of Muntinlupa or in such other places/institutions that may be designated as quarantine areas by the DOH or the Local Health Officials until such time that the DOH issues a SARS negative clearance.

All family members and/ or other persons who have been in contact with suspected SARS victim shall be required to undergo home confinement or be quarantined in places/institutions mentioned above until such time the DOH issues a SARS negative clearance.

While under quarantine, suspected SARS victim shall be prevented from making personal contact with other individuals except the medical personnel treating them, until a SARS negative clearance is issued for their discharge from quarantine.
Section 4. OTHER PREVENTIVE MEASURES AGAINST THE SPREAD OF SARS. In order to prevent the entry and spread of SARS in the community, the City Mayor shall adopt measures against the spread of SARS to include but not limited to the following:

a. The conduct of massive information drive to raise the consciousness of the constituents on SARS and how it could affect their day-to-day activities. The information drive may be in the form of fliers, leaflets and other information materials on SARS prevention for distribution to the public through the help of barangay health workers, other officials and members of the barangay, public and private school teachers, officials and members of the Sangguniang Kabataan, and members of non-government organizations in the area. Owners of cinemas may also be requested to allow the showing of infomercials on SARS preventive measures for a certain period, as maybe agreed upon.

Mandatory requirement to all personnel and staff of public and private hospitals to wear personal protective equipment such as masks and apparel while on duty.

c. Mandatory requirement to all owner/proprietors/administrators of private establishments, including private hospitals, to formulate their own safety measures to protect their employees and the general public from the threat brought about by SARS and inform the city government of their SARS prevention plan.

d. Require all crematoriums and/or funeral and embalming establishments to provide for the immediate cremation/burial of any person confirmed or suspected to have died of SARS. These establishments are further required to coordinate with the DOH and/or local health authorities in formulating measures for the safe handling of the remains of persons confirmed or suspected to have died of SARS.

Conduct clean-up drive in the barangays, regularly but not less than once a week, to include households, esteros, rivers and riverbanks, drainage, streets, alleys, pathways and other public places. All barangay officials are required to take lead in the massive clean-up operations in the barangays.

The City Mayor may promulgate or issue such other rules and regulations consistent with this Ordinance.
Section 5. IMPLEMENTING AGENCY. The City Mayor may call on the local Philippine National Police (PNP) to ensure that the above persons shall remain in quarantine or in the area of confinement until the necessary clearance is issued by the DOH.

Section 6. APPROPRIATION. The appropriate fund for the implementation of this Ordinance shall be taken from the executive budget of the City. The Calamity Fund of the City may be utilized subject, however, to existing guidelines prescribed under the rules and regulations and other issuances implementing Republic Act No. 8185, governing the allocation and utilization of the local calamity fund.

Section 7. SANCTIONS AND PENALTIES. Any person who violates the requirement for home confinement as provided for in the second paragraph of Section 4 hereof, shall be subject to forced confinement in any of the quarantine areas designated by the DOH, until the necessary clearance is issued.

Any crematorium or funeral or embalming establishments offering cremation services that refuse to cremate any person confirmed or suspected to have died from SARS shall be subject to closure and cancellation of their business and mayor’s permit. In addition, the owners, proprietors and/or managers of the said establishments shall be penalized with a fine not exceeding five thousand pesos (P5,000.00), or an imprisonment for a period not exceeding one (1) year or both at the discretion of the court.

SECTION 8. REPEALING CLAUSE. Any other ordinances, resolutions or parts thereof, which are inconsistent herewith, are hereby repealed or modified accordingly.

SECTION 9. SEPARABILITY CLAUSE. If for any reason or reasons, any section or provision of this ordinance shall be held unconstitutional or invalid, no other section or provision thereof shall be affected thereby.

SECTION 10. EFFECTIVITY. This ordinance shall take effect upon approval and publication in a newspaper of general circulation in the City of Muntinlupa.

APPROVED, by Sangguniang Panlungsod of Muntinlupa this 8th day of May 2003, during its 72nd Regular Session.

CONCURRED:

ALDRIN L. SAN PEDRO
Councilor

ELMIR S. ESPELETA
Councilor

BAL NIEFES
Councilor

FRANCIS IAN T. MAGATSING
Councilor

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DR. NICANOR L. ECHAVEZ
Councilor

RENE CARL S. CAYETANO
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ATTY. RAUL R. CORRO
Councilor

SANTIAGO V. CARLOS, JR.
Councilor

MELCHOR R. TEVES
Councilor

ATTY. ICASIANO M. DELA REA
Councilor

CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan

ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

LUCIO B. CONSTANTINO
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

ATTY. RIDORO L. SORIANO, JR.
Secretary
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ATTESTED:

ATTY. JO JASON T. ALCARAZ
City Vice Mayor-Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: __________________

Jeffrey 05/07/2008