AN ORDINANCE IMPOSING A 10:00PM TO 4:00AM CURFEW IN THE CITY OF MUNTINLUPA DURING THE GENERAL COMMUNITY QUARANTINE (GCQ) AND MODIFIED GENERAL COMMUNITY QUARANTINE (MGCO) AND AMENDING FOR THIS PURPOSE ORDINANCE NO. 2020-074

WHEREAS, under Section 15, Article II of the Philippines Constitution, it is the State’s policy to protect and promote the right to health of the people;

WHEREAS, on 16 March 2020, the Office of the President through a Memorandum of the Executive Secretary and pursuant to the declaration of State of Public Health Emergency and State of Calamity, placed the entire Luzon under Enhanced Community Quarantine (ECQ) beginning 17 March 2020, which imposed strict safeguard measures including the observation of stringent social distancing;

WHEREAS, on 20 March 2020, the SangguniangPanlungsod enacted Ordinance No. 2020-074 or "An Ordinance Placing the City of Muntinlupa under a Twenty-Four (24)-Hour Curfew Under the Enhanced Community Quarantine;"

WHEREAS, on 24 March 2020, the Congress through the “Bayanihan to Heal as One Act” (R.A. No. 11469) declared a State of National Emergency over the entire country to respond efficiently to the crisis brought by the pandemic;

WHEREAS, on 29 May 2020, IATF Resolution No. 41, s. 2020 classified all HUCs including Muntinlupa City as high-to-moderate-risk areas and placed them under General Community Quarantine (GCQ) from 01 June to 15 June 2020 and thereafter anticipating the imposition of Modified General Community Quarantine (MGCO). Furthermore, all identified barangays with the National Capital Region shall be subject to zoning concept to be implemented by the National Task Force (NTF) on COVID-19.
WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. No. 7160) provides that "every local government unit (LGU) shall exercise powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;"

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panlungsod in session assembled that:

SECTION 1. Short Title. This Ordinance shall be known as the "Ordinance Imposing an 10:00PM to 4:00AM Curfew in Muntinlupa City."

SECTION 2. Coverage. This Ordinance shall be in effect for the duration of a General Community Quarantine (GCQ) and Modified General Community Quarantine (MGCQ) as may be determined by the IATF and/or other implementing authorities, and shall cover all persons and entities within the territorial jurisdiction of Muntinlupa City.

SECTION 3. Curfew Period. The City of Muntinlupa shall impose a curfew period from 10:00PM to 4:00AM, wherein no person shall be allowed to go out of their respective homes, except for certain circumstances allowed under the national and local issuances.

In case where a particular area is declared under Extreme Community Lockdown, a twenty-four (24) hour curfew shall be imposed exclusively therein.

SECTION 4. Exempt Entities. The following persons or entities shall be exempted from the implementation of this Ordinance:

a. Those whose work in night shift such as, but not limited to, call center agents, hospital personnel, health care provider, and security staff;
b. Those whose work requires a 24-hour or on-call duty including, but not limited to, peace and order personnel in both city and barangay levels as determined by the Local Chief Executive;
c. Those whose work involves delivery of essential goods and services;
d. Those providing public transportation (buses, tricycle, among others) as determined by the Muntinlupa Traffic Management Bureau;
e. Emergency cases; and
f. Those Authorized Persons Outside Residence (APOR) during GCQ as enumerated by the Joint Task Force COVID Shield.

SECTION 5. Enforcement and Implementation. This Ordinance shall be implemented by the Muntinlupa Philippine National Police Force, Barangay Chairpersons and their personnel, Public Order and Security Office and other personnel, and private security guards as deputized by the Local Chief Executive;
SECTION 6. Penalty. Any person violating this Ordinance shall be meted with the following penalties, without prejudice to the charges under R.A. No. 11332 or the Bayanihan to Heal as One Act, which penalizes non-cooperation of persons or entities during a health event of public concern:

First Offense – Barangay blotter and cancellation of local grants/benefits, and/or a fine amounting to Five Hundred Pesos (P500.00).

Succeeding Offenses – Barangay blotter and withholding of relief goods and other assistance the local government may provide during the quarantine period, and/or a fine amounting to One Thousand Pesos (P1000.00).

SECTION 7. Separability Clause. If, for any reason or reasons, any part/s or provision/s of this Ordinance shall be held to be unconstitutional or invalid, other part/s or provision/s hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Repealing Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 9. Publication. This Ordinance shall be posted in the Official Website of the City Government of Muntinlupa and in all available social media platforms.

SECTION 10. Effectivity Clause. This Ordinance shall be effective immediately upon its approval and during the General Community Quarantine (GCQ) and Modified General Community Quarantine (MGCQ) in Muntinlupa City, unless earlier lifted by the IATF-MEID or through a subsequent City Ordinance for that matter.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 8th day of June 2020, on its 48th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

(CABSENT)
COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member
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COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

COUN. MA. DHERSREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

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

CECILIA C. LAZARTE
Secretary to the Sangguniang
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ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 15 JUN 2020

Norie/9th SP