

DISTRICT I

HON. MIGUEL N. BAUTISTA
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

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HON. ALDE JOSELITO F. PAGULAYAN
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HON. ROBERTO R. JAVIER
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE SARINO-EVARISTO
City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

CITY ORDINANCE NO. CO 67-2020
Series of 2020

AN ORDINANCE REQUIRING ALL SUPERMARKETS AND GROCERIES WITHIN THE CITY OF BACOR, CAVITE TO DEVELOP AND IMPLEMENT A DRIVE THRU GROCERY PURCHASING SYSTEM DURING THE EXISTENCE OF A PUBLIC HEALTH EMERGENCY IN LUZON AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by:

Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Leandro A. De Leon, Hon. Mac Raven Espiritu, Hon. Adrielito G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Alejandro F. Gutierrez, Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Alde Joselito F. Pagulayan, Hon. Reynaldo D. Palabrica and Hon. Michael E. Solis.

WHEREAS, a national emergency was declared by President Rodrigo Duterte due to the growing threat to public health and safety posed by the Coronavirus Disease 2019 (COVID-19).

WHEREAS, as of 30 March 2020, the City of Bacoor already has fifteen (15) residents who tested positive with COVID 19 and the threat of more city residents getting infected by the dreaded disease grows exponentially every day.

WHEREAS, Section 16 of Republic Act No. 7160 (the "Local Government Code of 1991") authorized local government units to "exercise the 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" and to "ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants".

WHEREAS, considering that there is as yet no known cure for COVID-19, one of the most effective means of preventing its spread is for the public to practice social distancing.

WHEREAS, since the Enhanced Community Quarantine started in 16 March 2020, the public has come to realize that

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Approved by:

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City Mayor

supermarkets and groceries play a crucial role in halting the spread of the said disease.

WHEREAS, there is a need for the city government to proactively address the public health threat posed by COVID-19 by requiring supermarkets, hypermarkets, and groceries operating within the City of Bacoor, Cavite to develop and implement a drive thru grocery purchasing system while the Enhanced Community Quarantine.

NOW THEREFORE, upon motion of Hon. Rowena Bautista-Mendiola duly seconded by all the members of the city council, **BE IT ORDAINED** by the Sangguniang Panlungsod in special online session duly assembled **THAT**:

SECTION 1. Title. This Ordinance shall be known as the **"BACOOR DRIVE AND BUY ORDINANCE"**.

SECTION 2. Application. This Ordinance shall apply to all supermarkets, hypermarkets, and groceries operating within the City of Bacoor, Cavite. **Provided that:** business establishments with less than ten (10) employees per branch or store shall not be covered by this Ordinance.

SECTION 3. The Bacoor Drive Thru Groceries Purchasing System (to be also known as "BACOOR DRIVE AND BUY"). A drive thru groceries purchasing system to be known as **"BACOOR DRIVE AND BUY"** is hereby established and created. Under the said system, all business establishments covered by this Ordinance shall be given twenty (20) business days within which to develop and implement a system that has the following minimum standards:

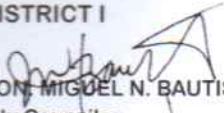
3.1. Enables consumers to order the groceries they want to buy online;

3.2. Gives consumers who ordered online a feedback (sent via email or text to the consumer within 24 hours after the ordered was made and received) on which of the products they ordered are available, how much they need to pay, and the time and day when they can pick up their groceries;

3.3. Gives the consumers the option whether or not to continue with the purchase;


3.4. Enables the consumer to drive to the parking lot of the business establishment, pay for and pick up the groceries they bought without disembarking their vehicle, while paying minimal service fees; and

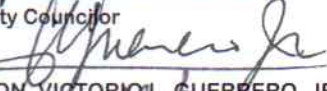
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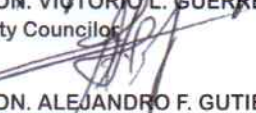

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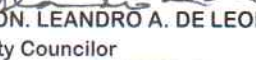

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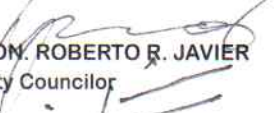

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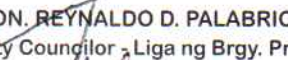

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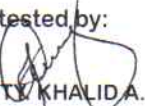

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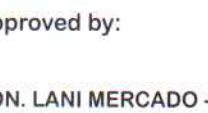

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City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

3.5. Allow the consumer to return damaged products or improperly packed products to the business establishment within 48 hours after the product/s was picked up.

SECTION 4. Prohibited Acts. The following acts shall be prohibited under this Ordinance:

4.1. Deliberate placement of damaged products or of the wrong products in the grocery bags of consumers;

4.2. Malicious return of damaged products that were not bought in the business establishment where the consumer wishes to make the return;

4.3. Sale of goods in excess of the allowed number of basic commodities that can be sold to individual buyers under the Anti-Hoarding and Overpricing Ordinance of the Province of Cavite;

4.4. Sale of goods in excess of the prices set under the Price Control Act of the Philippines and other applicable ordinances or government regulations; and

4.5. Charging of service fees in excess of 1 % of the total transaction cost.

SECTION 5. Penalties. All natural persons who shall violate this Ordinance shall be fined P2,000.00 or shall be required to perform community service for not more than 24 hours consisting of work related to the efforts of the city government to combat the spread of COVID-19 to be determined by the City Mayor.

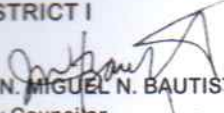
All business establishments covered by this Ordinance that failed to either (a) develop and implement its own drive thru groceries purchasing system within the period specified in Section 3 hereof and/or (b) implement a system that meets the minimum standards set under Section 3 hereof shall be closed for ten (10) successive calendar days and shall be required to pay a fine of P5,000.00.

SECTION 6. Separability. In case any provision of this Ordinance is declared void, the other provisions of hereof not affected by such declaration shall remain valid and enforceable.

SECTION 7. Repeal. The provisions of any ordinance that is inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

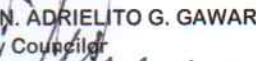
SECTION 8. Implementation. This Ordinance shall only be implemented as long as the state of public health emergency and the enhanced community quarantine declared by President Rodrigo R. Duterte remains in effect. The various departments and barangays of the city government required to implement

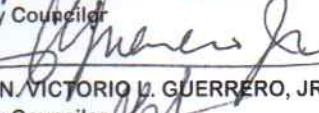
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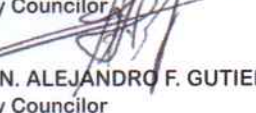

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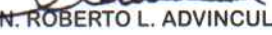

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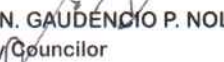

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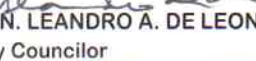

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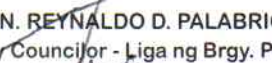

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HON. LANI MERCADO - REVILLA
City Mayor

this Ordinance are hereby empowered to formulate the rules and regulations that are needed to cause the effective and expeditious implementation hereof within the bounds of the law.

SECTION 9. Effectivity. This Ordinance shall be immediately implemented upon its approval and publication in the official websites of the Bacoor City government (www.bacoor.gov.ph) and of the Sangguniang Panlungsod of the City of Bacoor (www.bacoorcitysp.com).

APPROVED on the 1st day of April 2020 by a unanimous vote of all the members of the 4th Sangguniang Panlungsod of the City of Bacoor, Cavite during a special session conducted online held in the City of Bacoor, Cavite with the use of a videoconferencing application approved by a majority of its members.

I hereby certify that the foregoing Ordinance is true and correct and that it was duly passed in accordance with law.

CERTIFIED BY:


HON. CATHERINE SARINO-EVARISTO
City Vice Mayor/Presiding Officer

ATTESTED BY:


ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

APPROVED BY:

HON. LANI MERCADO-REVILLA
City Mayor