



DISTRICT I

[Signature]
 HON. MIGUEL N. BAUTISTA
 City Councilor

[Signature]
 HON. MICHAEL E. SOLIS
 City Councilor

[Signature]
 HON. ROWENA BAUTISTA-MENDIOLA
 City Councilor

[Signature]
 HON. ADRIELITO G. GAWARAN
 City Councilor

ABSENT
 HON. VICTORIO L. GUERRERO, JR.
 City Councilor

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 HON. ALEJANDRO F. GUTIERREZ
 City Councilor

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

[Signature]
 HON. MAC RAVEN ESPIRITU
 City Councilor - SK FEDERATION PRESIDENT

Attested by:

[Signature]
 ATTY. KHALID A. ATEGA, JR.
 Sangguniang Panlungsod Secretary

Certified by:

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

Approved by:

[Signature]
 HON. LAM MERCADO - REVILLA
 City Mayor

CITY ORDINANCE NO. CO 191-2022
Series of 2022

AN ORDINANCE IMPLEMENTING A CURFEW AND RESTRICTING THE MOVEMENT OF UNVACCINATED PERSONS IN MALLS, RESTAURANTS AND OTHER PUBLIC PLACES WHENEVER THE CITY OF BACoor IS UNDER ALERT LEVEL 3 DURING THE EXISTENCE OF THE COVID-19 PANDEMIC AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

Sponsored by:

Hon. Alde Joselito F. Pagulayan

Co-Sponsored by:

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

WHEREAS, on 8 March 2020, President Rodrigo Duterte issued Proclamation No. 922, S-2020 declaring a Public Health Emergency throughout the Philippines due to COVID-19 after accounts of confirmed local transmission of the virus became public knowledge;

WHEREAS, on 15 October 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) issued Resolution No. 79-S-2020 enjoining LGUs not to cover workers, authorized persons outside residence, and necessary establishments in the application of their curfew ordinances and to coordinate between and among each other, standardized curfew rules, and relax curfew hours imposed in connection with the pandemic unless called for by the COVID-19 situation in their respective jurisdictions;

WHEREAS, on 10 September 2021, President Duterte issued Presidential Proclamation No. 1218 extending the placement of the entire country under a State of Calamity 22 September 2022 – unless earlier lifted – due to the continued spread of COVID-19;



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City Vice Mayor / Presiding Officer

Approved by:

HON. LAM MERCADO - REVILLA
City Mayor

WHEREAS, on 11 November 2021, President Duterte issued Executive Order No. 151 approving the implementation nationwide of the Alert Levels System for COVID-19 Response following the 3C's (closed, crowded, and close contact) strategy to curb the further spread of the dreaded disease;

WHEREAS, under EO 151, the micro-level quarantine (also known as "granular lockdowns") of areas identified as "critical zones" may be declared by local government units in order to prevent the further proliferation of COVID-19 in various parts of the country;

WHEREAS, the IATF-EID placed the City of Bacoor and the Province of Cavite under Alert Level 3 from January 5 to January 15, 2021;

WHEREAS, in view of the continued rise in the number of people who tested positive for COVID-19 and in order to protect unvaccinated persons residing or working at the City of Bacoor, Cavite from the life-threatening effects of the coronavirus, there is a need to pass an ordinance that restricts the movement of persons who have not yet been vaccinated within the City in order to promote public health and safety;

WHEREAS, Section 1, Article III of the 1987 Constitution provides that "(N)o person shall be deprived of life, liberty, and property without due process of law, nor shall any person be denied of the equal protection of the laws."

WHEREAS, notwithstanding its valid concern to promote public health, the city government should not be unmindful of its duty to safeguard the right of all its constituents to take care of their health in the manner that they or their physician deem fit even in the face of a disease as insidious, contagious, and potentially deadly as COVID-19 in keeping with the State's duty to ensure that nobody is denied equal protection under the law.

NOW, THEREFORE, be it **ORDAINED** by the 4th Sangguniang Panlungsod of the City of Bacoor, in regular online session assembled:

SECTION 1. TITLE. This Ordinance shall be known as the "**COVID-19 Curfew Ordinance of Bacoor City**".



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City Mayor

SECTION 2. Curfew Hours. Covered Persons. There is hereby imposed daily curfew hours for all persons in the City of Bacoor between 10:00 PM to 4:30 AM whenever the City of Bacoor, Cavite – or any part thereof – is under Alert Level 3 or higher as mandated by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) or by any other competent authority under the law. Such curfew shall be automatically lifted upon the placement of the City of Bacoor, Cavite under either Alert Levels 1 or 2.

SECTION 3. Exemptions. The following shall be exempted from the implementation of Section 2 of this Ordinance:

- a) Workers assigned on a night shift duty by their employers as evidenced by a written certification from the Human Resources or Personnel Department of such employers or by his/her immediate supervisor/superior;
- b) Deliveries of basic necessities like food and medicines;
- c) Public transport services (buses, jeepneys, tricycles and the like) as may be determined by the Bacoor Traffic and Management Department (BTMD);
- d) Peace and order personnel in both City and barangays levels as determined by the Local Chief Executive;
- e) Persons (including minors or senior citizens) who may be responding to a medical emergency or other emergency cases as determined by the BTMD, the Bacoor Disaster Risk Reduction and Management Department (BDRRMD), and/or by the City Health Office;
- f) All elected government officials;
- g) Persons in necessary establishments and essential businesses allowed to travel in accordance with the IATF Guidelines; and
- h) Authorized Persons Outside of their Residence (APORs).

SECTION 4. Regulated Movement of Unvaccinated/Partially Vaccinated Persons or of Persons Without a Valid Vaccination Card. Notwithstanding the provisions of Sections 2 and 3 hereof, the following regulations shall be imposed upon unvaccinated/partially



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Sangguniang Panlungsod Secretary

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City Vice Mayor / Presiding Officer

Approved by:

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City Mayor

vaccinated persons and upon persons without a valid vaccination card:

4.1. In order to protect them from the life-threatening effects of COVID-19, all unvaccinated or partially vaccinated persons and all persons who do not possess a valid vaccination card shall not be allowed to enter all business establishments (such as but not limited to malls, theaters, supermarkets, or public markets) or to use public transportation within the City of Bacoor EXCEPT: (a) if they are purchasing food, medicines, and other essential goods or travelling to work, (b) there is no other way of purchasing the said goods or of performing the said work except in person, AND/OR (c) there is no other adult residing within the same household as the above-mentioned persons who can purchase the said goods.

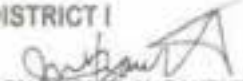
4.2. The said person/s shall also not be allowed to enter all medical and dental clinics or medical laboratories operating within the City of Bacoor EXCEPT if visiting the said clinics or laboratories: (a) is needed to save the life of the said person/s, (b) required for employment purposes, (c) was done with a prior appointment with the health professional concerned, AND (d) the patient is willing to execute a written waiver exculpating the health professional who will treat/examine/test him/her from any liability arising from his/her visiting the said clinics or laboratories that is related to possible exposure to COVID-19.

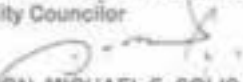
4.3. All unvaccinated or partially vaccinated persons and all persons who do not possess a valid vaccination card shall also not be allowed to eat outside restaurants, attend religious services (such as but not limited to weddings, funeral wakes, or interments) in person, or to participate in sports activities involving another person (such as basketball, tennis, badminton, boxing and the like), or to go to gyms, salons, massage parlors, and other enclosed establishments or buildings outside his/her residence so as not to unduly expose them to COVID-19 and/or endanger their health or safety.

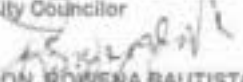
4.4. All unvaccinated or partially vaccinated persons and all persons who does not possess a valid vaccination card who work in the places mentioned above shall not



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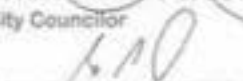

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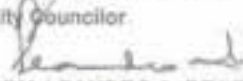

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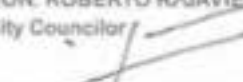

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HON. REYNALDO D. PALABRICA
City Councilor - Paga ng Brgy. President


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City Councilor - SK FEDERATION PRESIDENT

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

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City Vice Mayor / Presiding Officer

Approved by:


HON. LANI MERCADO-REVILLA
City Mayor

be prevented from working thereat **provided that** he/she shall submit a negative reverse transcription-polymerase chain reaction (RT-PCR) test every two (2) weeks at their personal expense or at the expense of their employer pursuant to the relevant guidelines of the Department of Labor and Employment (DOLE). In case the RT-PCR test or test result is unavailable within the period mentioned above, the said workers may use any rapid antigen test brand that is duly recognized by the Department of Health (DOH) and by the Food and Drug Administration (FDA). The failure of the said workers/persons to comply with the foregoing requirement shall be considered a sufficient reason for his employer to prevent him/her from entering the above-mentioned places until she/he has submitted the required tests. At no instance shall the said person/s be suspended or terminated from work for non-compliance with this provision.

4.5. All persons who are unvaccinated or partially unvaccinated shall be allowed to engage in outdoor exercises outside of the curfew hours mentioned in Section 2 hereof while using a mask and maintaining a physical distance of at least two (2) meters from the person nearest him/her. Small children shall also be allowed to engage in outdoor exercises provided they are wearing face masks and are accompanied by a responsible adult who shall be exempted from the physical distancing requirement mentioned above while taking care of the said child/ren. Sports and physical activities involving more than one person such as basketball, dance or yoga classes, and the like are absolutely prohibited.

4.6. The Bacoor Traffic Management Department (BTMD) shall identify and authorize 10% of all public utility tricycles of each duly accredited Tricycle Operators and Drivers Association (TODA) operating within the City of Bacoor to transport persons who are unvaccinated/partially vaccinated or does not have in his/her possession a valid vaccination card in order to ensure that the said persons are not deprived of their right to engage in essential travel. **Provided,** that the said persons shall neither be exempted from paying the right fare nor from strictly adhering to existing IATF safety protocols on COVID-19. **Provided further,** that the public



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utility tricycles mentioned above shall prominently carry a sign that states: "TRICYCLE PARA SA HINDI BAKUNADO LABAN SA COVID-19". **Provided lastly**, that said tricycle units shall still be allowed to transport vaccinated persons if there are no unvaccinated/partially vaccinated individuals near it who may need transportation.

SECTION 5. Conscientious Objection and Medical Exemptions. The right of natural persons to refuse to have themselves vaccinated or tested based on sincerely held religious beliefs or valid medical grounds shall be respected by the city government. No regulation shall be implemented by the city government that shall violate the said right.

However, any natural person who shall use the said right as a basis to refuse to comply with any provision of this Ordinance must provide either: (a) a notarized certification signed by a priest, minister, imam, or pastor of the religion to which the said person belongs to explaining in detail the religious doctrine used by the said person as a basis for his conscientious objection and the manner by which the said religious authority determined the sincerity of the religious beliefs of the said person, or (b) a notarized certification signed by a competent medical professional who personally examined the person concerned and who had determined conclusively that his/her patient's health will be jeopardized if the latter is vaccinated or undergoes RT-PCR or antigen testing. **Provided further that:** any natural person who shall refuse to comply with any provision of this Ordinance based on sincerely held religious beliefs or valid medical grounds **shall not** be exempted from complying with the prevailing public health protocols related to the wearing face masks, handwashing, and the maintenance of physical distance from persons around him/her in all public places within the City of Bacoor.

SECTION 6. Enforcement. This Ordinance shall be primarily implemented by the Bacoor City police station to be assisted by the following authorities: a) the Punong Barangay and his/her Barangay Tanods, b) City Inspection and Compliance Unit (CICU), c) Bacoor Public Security Unit (BPSU), (d) the BTMD, (e) the BDRRMO, (f) the Business Permit and Licensing Office (BPLO), and/or (g) the City Health Office (CHO). The officers of the



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Approved by:

HON. LONI MERCADO - REVILLA
City Mayor

various non-government organizations and people's organizations duly accredited by the City Government and deputized in writing by the City Mayor shall also be allowed to enforce this Ordinance.

SECTION 7. Penalties. Any unvaccinated or partially unvaccinated person found in violation of this Ordinance shall NOT be penalized for such offense. However, they shall be required to perform community service not exceeding twenty-four (24) hours pursuant to the pertinent provisions of Republic Act No. 11362 (the "Community Service Act" which was signed into law on 8 August 2019 by President Duterte) and its implementing guidelines.

Business establishments, medical/dental clinics, medical laboratories, and religious authorities that violate this Ordinance shall pay the following fines:

- First Offense - One Thousand Five Hundred Pesos (P 1,500.00)
- Second Offense - Two Thousand Five Hundred Pesos (P 2,500.00)
- Third Offense - Three Thousand Pesos (P 3,000.00)
- Subsequent Offenses: Five Thousand Pesos (P5,000.00 and closure of the establishment, clinic, or laboratory for not more than thirty (30) days.

SECTION 8. Creation of Special COVID-19 Trust Fund. All fines collected pursuant to the implementation of this Ordinance shall be deposited in a special trust fund the contents of which shall only be used by the city government for projects related to addressing the various challenges directly related to the COVID-19 pandemic such as the purchase of vaccines, test kits, medical equipment and supplies, subsidizing the cost of RT-PCR and/or antigen tests, and the like.

SECTION 9. Repealing Clause. All Ordinances, Resolutions, and Executive Orders or any part thereof which are inconsistent with the foregoing provisions are hereby repealed or modified accordingly.

SECTION 10. Separability Clause. If any provision of this Ordinance is determined to be invalid, illegal or unenforceable, its remaining provisions shall remain in full



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City Mayor

force as though the Ordinance did not originally include such invalid, illegal or unenforceable provision.

SECTION 11. Effectivity. This Ordinance shall take effect immediately after its approval in accordance with the relevant provisions of Republic Act No. 10160 (the "Charter of the City of Bacoor").

ENACTED on third and final reading this 17th day of January 2022 by the 4th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was duly approved in accordance with law.

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. LANI MERCADO-REVILLA
City Mayor

Date of Approval: 26 JAN 2022