



*Office of the Sangguniang Panlungsod*

**CITY ORDINANCE NO. 233-2022**  
**Series of 2022**

**AN ORDINANCE REVISING THE EXISTING POLICIES ON THE WEARING OF FACE MASKS IN PUBLIC PLACES IN THE CITY OF BACOR, CAVITE DUE TO COVID-19.**

Authored by:

**HON. ALDE JOSELITO F. PAGULAYAN**

Sponsored by:

Hon. Roberto L. Advincula, Hon. Ramon N. Bautista, Hon. Simplicio G. Dominguez, Hon. Mac Raven Espiritu, Hon. Catherine Sarino-Evaristo, Hon. Reynaldo M. Fabian, Hon. Adrielito G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Alejandro F. Gutierrez, Hon. Rogello M. Nolasco, Hon. Reynaldo D. Palabrica, Hon. Michael E. Solis and Hon. Levy M. Tela.

**WHEREAS**, the Sangguniang Panlungsod passed several ordinances on the use of face masks in public places within the City of Bacoor due to the threat to public health posed by COVID-19.

**WHEREAS**, on 12 September 2022, President Ferdinand Marcos Jr. issued Executive Order No. 03 allowing the voluntary wearing of face masks in well-ventilated, uncrowded, and open public spaces.

**WHEREAS**, considering that Section 17, Article VII of the 1987 Constitution provides that the President shall have control of all the executive departments, bureaus, and offices and that he shall ensure that the laws be faithfully executed, it is necessary for the Sanggunian to revise all city ordinances that were passed involving the use of face masks in outdoor places and public spaces within the City.

**NOW THEREFORE**, upon motion of Hon. Alde Joselito F. Pagulayan, **BE IT ORDAINED** by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor **THAT**:

**Section 1. Amendment of All City Ordinances About the Use of Face Masks in Public.** This ordinance shall amend all existing city ordinances relating to the use of face masks in public places and outdoor spaces in the City of Bacoor.

**Section 2. Voluntary Use of Face Masks in Public Places.** Upon the date of effectivity of this Ordinance, the voluntary wearing of face masks in open spaces and non-crowded outdoor places that are well ventilated in the City of Bacoor shall be allowed. In the course of implementing this Ordinance, commercial malls

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Liga ng mga Barangay President

HON. MAC RAVEN ESPIRITU  
SK Federation President

Attested by:

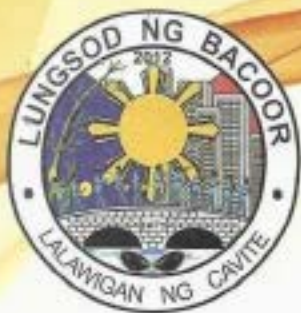
ATTY. KHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA  
City Mayor



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shall not be considered as an "open space" and persons entering it, or are within it, shall still be required to wear face masks.

The wearing of face masks shall still be required in all types of public transportation, in enclosed public or private establishments, and in outdoor settings where physical distancing can not be effectively maintained. A person without any companion inside a privately owned, four-wheeled motor vehicle shall not be required to wear a face mask.

Unvaccinated or not fully vaccinated persons, senior citizens, and immunocompromised individuals are strongly advised to wear face masks in public places including in different modes of public transportation especially where there is no good ventilation or where physical distancing cannot be maintained.

The use of face masks in all hospitals, clinics, and gyms within the City of Bacoor shall remain mandatory. Face masks shall be worn inside hospitals, clinics, and medical laboratories at all times by all persons entering, working, or being treated within. However, patients in dental clinics shall be exempted from wearing masks while undergoing treatment or check up.

**Section 3. Refusal of Entry.** The operators and security officers of commercial malls and business establishments that are enclosed and are not well-ventilated as well as doctors operating a hospital or clinic are hereby authorized to refuse entry to any person who refuses to wear a mask. The security guards of malls, hospitals and business establishments and the doctors operating clinics covered by this provision shall have the authority to have any person who refuses to obey instructions regarding the use of face masks inside the said malls, establishments, hospitals, or clinics arrested by any law enforcer.

**Section 4. Refusal to Transport.** The drivers of any public utility vehicle within the City of Bacoor are hereby deputized to enforce this Ordinance by empowering them to refuse to transport any person who refuses to wear a mask before entering the vehicle or who removed his/her mask while the vehicle is moving. If a passenger refuses to obey the driver's instructions regarding the use of face masks, the driver of the public utility vehicle shall have the authority to have the passenger arrested by any law enforcer.

**Section 5. Penalty.** All natural persons who are not employed by the city government or by any of its barangays who shall violate this Ordinance shall be pay a fine of PhP 3,000.00. Offenders who are willing to pay the said fine instead of being charged in court shall have five (5)



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days from the date he/she was apprehended to pay a reduced fine of P2,000.00. Payment of the said fine shall result in the issuance of Certification in favor of the offender certifying that he/she shall no longer be charged in court for the said offense.

The following penalties shall be imposed against officials and employees of the city government, or of its various barangays, who violated this Ordinance after conviction by a court of law:

First Offense: Fine of P3,000.00

Second Offense: Fine of P5,000.00 plus suspension for sixty (60) calendar days without pay.

Third Offense: Fine of P5,000.00 plus imprisonment for sixty (60) days up to ninety (90) calendar days. If the offender was appointed to his/her position, he/she shall also be terminated from employment by the person who appointed him/her pursuant to pertinent civil service regulations. If the offender is an elected public official, the appropriate administrative action shall be filed against him/her.

Offenders who are not employed by the national government, other local government units, the city government or by any of its barangays who admit their guilt during inquest proceedings or preliminary proceedings before a city prosecutor shall be allowed to pay 30% less than the fines mentioned above and shall no longer be criminally charged in court. Payment of the said fine shall result in the issuance of Certification in favor of the offender certifying that he/she shall no longer be charged in court for the said offense.

Employees or officials of the national government, of other local government units, of the city government, or of the various barangays of the City of Bacoor, Cavite shall not be entitled to the said discount even if they admit their guilt during inquest or preliminary investigation proceedings to serve as a reminder to them that public servants are not above the law.



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Business establishments that fail to implement this Ordinance shall be closed for fifteen (15) successive days and shall be required to pay a fine of P5,000.00.

**Section 6. Community Service; Minors Without Criminal Liability.** Persons not employed by the city government, the national government, any local government, or by any of the barangays of the City of Bacoor who are willing but are incapable of paying the fines mentioned in Section 5 as certified by the City Social Welfare and Development Office (CSWDO) shall, in lieu of being criminally charged in court for violating this Ordinance, be required to render community service for not more than twelve (12) hours consisting of work related to the efforts of the city government to combat the spread of COVID-19.

The nature of the community service to be rendered, where, when and how it shall be done shall be determined by either the City Mayor, the City Administrator, by the City Health Officer, or by their duly authorized representatives. The offender must begin rendering community service not later than five (5) working days after his/her apprehension. Otherwise, the City Legal Services Office shall file the appropriate complaint against the offender with the Office of the City Prosecutor.

After the community service is done to the satisfaction of any of the public officials mentioned above, any of them shall issue a Certification in favor of the offender certifying that he/she already finished his/her community service and that he/she shall no longer be prosecuted for the offense that s/he committed.

In rendering community service, the offender shall not be required to do any task that shall be humiliating, dangerous, or that can be considered as cruel and unusual punishment. If the offender fails to complete rendering community service within a period of four (4) successive calendar days or if he/she refused to comply with the instructions given to her/him in rendering the said community service, the City Legal Services Office shall proceed to file the appropriate complaint against him/her with the Office of the City Prosecutor.

If the offender is a minor, he/she shall not be required to pay the said fines or to render community service but his/her parent/s or guardians shall be strongly advised by the City Health Officer to compel their child/ward to wear face masks in places that are not well-ventilated and where physical distancing cannot be maintained. Neither the minor nor their parent/s or guardians shall be imprisoned by virtue of this Ordinance.



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City Mayor

**Section 7. Revenue Sharing.** The city government and the barangay that apprehended the person/s who violated this ordinance shall share whatever fines shall be collected from the said offender/s in a manner that complies with pertinent government auditing and accounting regulations.

The City Accountant is hereby directed to formulate the necessary guidelines for the implementation of this provision within fifteen (15) working days from the date of effectivity of this Ordinance. The said guidelines shall be subject to the approval of the City Mayor before they can be implemented.

**Section 8. Maintenance of Apprehension Records and Data.** The E-Governance Department shall maintain all records related to the apprehension of all natural and juridical persons who violated this Ordinance. The said records shall be used in determining the right penalty to be imposed against the said persons and in gauging the effectiveness of the city government's policies on the use of face masks within the City of Bacoor, Cavite. Moreover, the E-Governance Department shall ensure the confidentiality of all matters reported thereto as well as the integrity of all data that have been sent to it. Lastly, the E-Governance Department shall share the apprehension records of all persons who violated this Ordinance to the court of law handling the case against the offender, city prosecutors or government agencies where the appropriate criminal or administrative cases have been filed or to any law enforcement agency, city government department or unit, and to barangay officials who might request for the said records to ensure the effective implementation of this Ordinance. **Provided:** that the data privacy rights of the said offenders as guaranteed under Republic Act No. 10173 (the "Data Privacy Act of 2012") and all related government regulations shall not be compromised by any city government or barangay official or employee in the implementation of this Ordinance.

**Section 9. Public Information Campaign.** The Public Information Office is hereby mandated to conduct a public information campaign on the change in policies regarding the use of face masks and the manner by which this ordinance shall be implemented within the City. In this regard, the PIO is directed to place posters on the entrance of all business establishments, public utility vehicles and government offices within the City of Bacoor, Cavite that summarizes the provisions of this Ordinance and explains the various penalties that will be imposed against would-be offenders.

**Section 10. Implementation.** This Ordinance shall only be implemented as long as the state of public health emergency and the various forms of community quarantines



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declared by the national government in response to the COVID-19 pandemic remains in effect.

**Section 11. Automatic Repeal.** This Ordinance — and all other city ordinances related to the use of face masks due to the threat to public health posed by COVID-19 — shall automatically lose legal effect after the country has been declared free from the threat posed by COVID-19 through the lifting of any form of quarantine over the City of Bacoor by the national government.

**Section 12. Implementing Rules and Regulations.** The City Legal Services Office, in consultation with the City Health Office and the President of the Liga ng mga Barangay, is hereby directed to submit the proposed implementing rules and regulations of this Ordinance to the City Mayor not later than sixty (60) days after the effectivity date hereof. The said IRR may be revised at any time upon the order of the City Mayor depending on the exigencies of public service.

**Section 13. Separability Clause.** The provisions of this Ordinance that are not declared void or unconstitutional by a court of law shall remain valid.

**Section 14. Effectivity.** This Ordinance shall become effective immediately after it has been published at least once in a newspaper of general circulation in the Province of Cavite.

**ORDAINED** this 10<sup>th</sup> day of October 2022 at the City of Bacoor, Cavite.

*I hereby certify that the foregoing Ordinance was passed in accordance with law.*

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor/ Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary



Republic of the Philippines  
Province of Cavite  
CITY OF BACOR

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City Mayor

Date of Approval: 03 FEB 2023

Approved by:

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City Mayor