



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE  
PROVINCE OF BATAAN ON JUNE 08, 2020

## PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

## FIRST DISTRICT:

Hon. Benjamin C. Serrano, Jr., Board Member  
Hon. Jomar L. Gaza J.D., Board Member  
Hon. Reynaldo T. Ibe, Jr., Board Member  
Hon. Godofredo B. Galicia, Jr., M.D., Board Member  
Hon. Maria Khristine G. Dela Fuente, Board Member

## SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member  
Hon. Manuel N. Beltran, Board Member  
Hon. Edgardo P. Calimbas, Board Member  
Hon. Jose C. Villapando, Sr., Board Member  
Hon. Romano L. Del Rosario, Board Member  
  
Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)  
Hon. Precious D. Manuel, Board Member (SKF President)

## ABSENT:

Hon. Doroteo M. Austria, Board Member (FABC President) (Excused)  
Hon. Rosita N. Sison, Board Member (IPM Representative) (Excused)

## PROVINCIAL ORDINANCE NO. 10 SERIES OF 2020

### AN ORDINANCE MANDATING THE OBSERVANCE OF PHYSICAL OR SOCIAL DISTANCING IN THE PROVINCE OF BATAAN, AND IMPOSING THE CORRESPONDING PENALTIES THEREFOR

**Sponsored by: Hon. Godofredo B. Galicia, Jr., M.D.**

WHEREAS, the 1987 Constitution of the Republic of the Philippines declares that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) accords every Local Government Unit power and authority to promote the general welfare within its territorial jurisdiction, including the promotion on health and safety of its constituents;

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Provincial Governor

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WHEREAS, the Department of Health (DOH) has confirmed the local transmission of COVID-19, and pursuant thereto, President Rodrigo Duterte has issued Proclamation No. 922 declaring a State of Public Health Emergency on 08 March 2020;

WHEREAS, the outbreak of COVID-19 virus has posed serious risk and was declared a pandemic by the World Health Organization (WHO) on 11 March 2020;

WHEREAS, the Code Alert System for COVID-19 has been raised to Code Red Sublevel Two (2) on 12 March 2020;

WHEREAS, relative to the current situation of the country, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases has issued several resolutions, citing certain provisions for the effective control of the spread of the COVID-19 virus;

WHEREAS, under Section 5.1.1. of DILG Memorandum Circular No. 2020-062 entitled Supplementary LGU Guidelines on the Implementation of Enhanced Community Quarantine in Luzon, and State of Public Health Emergency in Other Parts of the Country Due to the COVID-19 Threat, "(a)ll LGUs are charged with the promotion of health and safety within their jurisdiction", "(a)s such, they are to take the lead in the prevention and control of the spread of COVID-19 at the local level";

WHEREAS, having the health and safety of our constituents as paramount consideration, and in response to the call of the President, the Sangguniang Panlalawigan of Bataan has adopted measures to lessen the unnecessary exposure that might lead to the local transmission of COVID-19 virus in the Province of Bataan;

WHEREAS, the Sangguniang Panlalawigan of Bataan manifests its earnest desire to strictly implement the social distancing and other quarantine measures with the end-in-view of preventing and/or containing the transmission of COVID-19 virus in the province;

NOW THEREFORE, BE IT ENACTED, as it is hereby enacted, by the Sangguniang Panlalawigan of Bataan, in session assembled, by virtue of the powers vested in it by law, that;

Section 1. Title. - This Ordinance shall be known as "Ordinance Mandating the Observance of Physical or Social Distancing in the Province of Bataan, and Imposing the Corresponding Penalties Therefor."

Section 2. Coverage. - This Ordinance shall apply to all persons and in all places in the Province of Bataan.

Section 3. Effectivity. - This Ordinance shall take effect immediately upon compliance with the relevant requirements of the law, and shall continue to be effective unless repealed by the Sangguniang Panlalawigan and notwithstanding the lifting of the GCQ or transition into a different community quarantine type.

Section 4. Definition of Terms. - The terms herein-below shall have the following definitions:

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- a. Community Quarantine – a restriction imposed by the National Government on the movement of people and goods which is intended to prevent the spread of COVID-19, and which is qualified as follows:
- i. Enhanced Community Quarantine refers to the level of community quarantine, and its modifications, where strict home quarantine shall be implemented in all households within a specified geographic boundary, transportation shall be suspended, provision for food and essential health services shall be regulated, and heightened presence of uniformed personnel to enforce quarantine procedures will be implemented.
  - ii. General Community Quarantine refers to the level of community quarantine and its modifications, where movement of people shall be limited to accessing basic necessities and work; and uniformed personnel and quarantine officers shall be present at border points.
- b. Individual Quarantine - refers to mandatory isolation of a person for at least fourteen (14) days, at home or at a designated quarantine site for PUIs and PUMs.
- c. Corona Virus Disease 2019 (COVID-19)- an infectious disease brought about by a new strain of the corona virus that was discovered in 2019, not previously identified in humans, with symptoms such as fever, tiredness, dry cough, runny nose, sore throat, nasal congestion, diarrhea, shortness of breath, and in more severe cases, pneumonia, severe acute respiratory syndrome.
- d. Mass Gatherings – a planned or spontaneous event where the number of people attending could strain the planning and response action of the community in the prevention of transmission of COVID-19 virus.
- e. Person-in-charge – The persons-in-charge shall be:
- i. The president, manager, or CEO, in case of a company, corporation, partnership or association;
  - ii. The owner, proprietor or operator in case of a single proprietorship;
  - iii. The administrator, or head of office in case of government property, office or building;
  - iv. The owner, driver, operator, conductor, or the captain in case of the public conveyance;
  - v. The provincial schools superintendent, dean or principal in case of schools.
- f. Person with increased risk of death due to COVID-19 are any of the following:

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- making documents
- iii. Those aged 60 years old and above;
- iv. Pregnant women; and
- v. Other persons as identified by the Department of Health.
- g. Physical/Social Distancing – control actions intended to stop or slow down the spread of a contagious disease and reduce the probability of contact between persons carrying an infection, and others who are not infected, so as to minimize disease transmission, morbidity and ultimately, mortality.
- h. Public Conveyances - refers to modes of transportation servicing the general population, such as, but not limited to, elevators, airplanes, ships, jeepneys, buses, taxicabs, rideshare service vehicles/Transport Network Vehicle Services, trains, light rail transits, tricycles and other similar vehicles;
- i. Public Places - all places, fixed or mobile, that are accessible or open to the public, or places for collective use, regardless of ownership or right to access including but not limited to, schools, workplaces, government facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would rather gather, such as but not limited to playgrounds, centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways, entrance ways, waiting areas and the like;
- j. Workplace - any place used by people during their employment or work, whether done for compensation or voluntary, including all attached or associated places commonly used by the workers in the course of their work, like corridors, elevators, stairways, toilets, lobbies, lounges. Vehicles used in the course of work are considered workplaces.
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SECTION 5. - Mandatory Physical Distancing Measures.

- a. Individual Physical Distancing - All individuals shall strictly observe physical distancing of at least one (1) meter radius from the other persons while in public places as defined herein above, to reduce the probability of contact between persons.
- b. Mass Gatherings - Subject to the guidelines of the National Government pertaining to the allowance or disallowance of mass gatherings, all publicly held and non-essential mass gatherings within the Province of Bataan, which include religious activities, sporting events, entertainment activities, community assemblies, and other gatherings or activities, are hereby prohibited.
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Essential mass gatherings such as those that are work-related and is necessary to sustain the business or continue essential work functions; or that is organized to respond to the COVID-19 situation, may be allowed subject to the requirement that the organizers or the person in charge of the essential mass gatherings shall be required to sufficiently explain the risks involved in attending the event and the measures that should be undertaken to ensure the health and safety of the attendees, and shall, in addition, comply with the following:

- i. Physical distancing;
  - ii. Mandatory wearing of face mask;
  - iii. No sharing of food and drinks;
  - iv. Provision of hand sanitizers in prominent locations;
  - v. No entry for ill people or those with high-risk medical conditions; and
  - vi. Submission of a list of attendees with their addresses and contact information to the Municipal Health Office within twelve hours (12) hours from the said event/activity.
- c. Travel and Transportation - Subject to the guidelines issued by the Department of Transportation and/or the relevant government agency as regards the kind of public transportation that shall be allowed to operate under community quarantine or any modification of the same that may subsequently be imposed, the following measures shall strictly be observed:
- i. All public-utility vehicles (PUV), operators and drivers shall observe the prescribed passenger limit in connection with the end in view of maintaining at least one (1) meter distance between passengers including the driver.
  - ii. All private motor vehicles and drivers shall observe social distancing, public health and security protocols and procedures for the prevention, containment and control of COVID-19.
  - iii. Personal use of motorcycles is allowed as long as it complies with the social distancing measures required by the Department of Health (DOH) and/ or Department of Transportation (DOTr). There shall be no back-riders.
  - iv. All operators are also directed to inform/educate their drivers and conductors to be observant of their passengers during travel. Should any of their passengers manifest any symptoms of COVID-19 like body temperature of 38°C or higher, severe coughing or breathing difficulty, they shall assist said persons to the nearest hospital and report the incident to the Provincial or Municipal Health Office for proper handling. All PUV drivers and conductors are also required to cooperate and observe public health protocols/procedures.

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v. All terminal operators and dispatchers shall not allow any person to enter their terminal premises if said person manifests any of the symptoms of COVID-19, such as those with a body temperature of 38°C or higher, severe coughing or breathing difficulty.

vi. The following measures shall continue to be implemented:

- All PUV drivers and conductors should always properly wear masks while on duty;
- All public-transport vehicles and terminal operators should ensure and maintain proper sanitation and cleanliness of their PUV fleets and their premises daily, and provide disinfectants or sanitizers for use by passengers;
- Posting of periodic announcements and precautionary reminders in strategic locations that could help prevent the transmission of the virus; and
- All public-transport vehicle and terminal operators are encouraged to take other measures necessary to reduce the risk of transmission in public transportation.

Section 6. Duties and Obligations of Persons-in-charge: The persons-in-charge as defined herein shall have the following respective duties and obligations:

- a. Prominently post and display "Maintain Physical Distance of 1 Meter" signage in conspicuous places within their premises, including in public conveyances. The number of the signage will depend on the area of the premises and should be enough to guarantee that everyone going into the premise will be able to see and read the same.
- b. Determine the number of individuals (including employees) to be allowed to enter and stay within their establishment at any given time in compliance with the applicable physical distancing guidelines, and make sure that the same is implemented and followed.
- c. Prohibit any person to enter their premises if said person manifests any of the symptoms of COVID-19, such as body temperature of 38°C or higher, severe coughing and/or breathing difficulty.
- d. Implement the physical distancing guidelines within their jurisdiction of responsibility and set other guidelines in the workplace that will ensure compliance with the physical distancing guidelines.
- e. Designate floor or pavement markings within their establishments to serve as guide, indicating the mandatory distance of at least one meter from one person to another in compliance with social distancing for individuals.

Section 7. Persons Liable. - The following persons shall be liable under this Ordinance:

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- a. Any person who will not comply with the mandatory measures on Individual Physical Distancing, Mass Gatherings, and Travel and Transportation, as provided in Section 5 of this Ordinance.
- b. Persons-in-charge who fails to fulfill the duties and obligations enumerated in Section 6 of this Ordinance;

Section 8. Penalties. - Any person or person-in-charge found liable under the provisions of this Ordinance shall pay the fine of two thousand Pesos (Php2,000.00) per violation.

Section 9. Private Sector Participation. - The private sector, such as but not limited to owners of private properties, corporations and other businesses, house of religious worship, subdivisions, homeowners and community associations are hereby enjoined to implement its own regular preventive measures against the threat of the COVID-19 virus, in consonance with this Ordinance.

Section 10. Coordination with National Agencies. - The Provincial Government of Bataan shall work closely and seek proper guidance from the Department of Health (DOH), Philippine National Police (PNP), Department of Interior and Local Government (DILG), other national agencies and other local government units to ensure that all its efforts to address this public health emergency are in harmony with the directives of the National Government.

Section 11. Implementing Agencies. - The PNP, Armed Forces of the Philippines (AFP), Metro Bataan Development Authority (MBDA), City/Municipal Marshals, Barangay Tanods and deputized task forces shall enforce the provisions of this Ordinance.

Section 12. Repealing Clause. - All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly;

Section 13. Separability Clause. - If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

APPROVED UNANIMOUSLY.

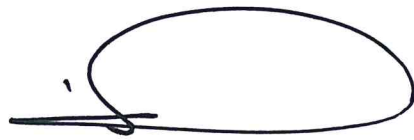
SEVERINO P. SALAZAR  
Secretary to the SP

BENJAMIN C. SERRANO, JR.  
Board Member

JOMAR L. GAZA, JR.  
Board Member

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REYNALDO T. IBE, JR.  
Board Member



GODOFREDO B. GALICIA, JR., M.D.  
Board Member




MARIA CHRISTINE G. DELA FUENTE  
Board Member



MARIA MARGARITA R. ROQUE  
Board Member



MANUEL N. BELTRAN  
Board Member



EDGARDO P. CALIMBAS  
Board Member



JOSE C. VILLAPANDO, SR.  
Board Member



ROMANO L. DEL ROSARIO  
Board Member



NOEL JOSEPH L. VALDECAÑAS  
Board Member  
(PCL President)



PRECIOUS D. MANUEL  
Board Member  
(SKF President)

ATTESTED:



MA. CRISTINA M. GARCIA  
Vice Governor  
(Presiding Officer)

APPROVED:



ALBERT S. GARCIA  
Provincial Governor  
Date: 6-19-2020