

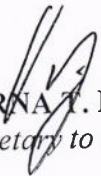


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PROVINCE OF PANGASINAN
Lingayen
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

1st Endorsement
June 18, 2020

Respectfully transmitted to the Sangguniang Bayan Secretary of Bayambang, Pangasinan the herein copy of Resolution No. 562, Series of 2020, which was approved by the Sangguniang Panlalawigan on June 15, 2020, for your information and guidance.


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

VTNP/bdc



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CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on June 15, 2020 at Lingayen, Pangasinan, the following resolution was approved:

Sponsored by SP Members Vici M. Ventanilla and Angel M. Baniqued, Jr.
and co-sponsored by SP Members Sheila Marie S. Perez-Galicia,
Jerome Vic O. Espino and Jose G. Peralta, Jr.

RESOLUTION NO. 562-2020

DECLARING MUNICIPAL ORDINANCE NO. 07, S-2020 OF THE SANGGUNIANG BAYAN OF BAYAMBANG, PANGASINAN, ENTITLED "AN ORDINANCE IMPOSING CURFEW FROM 8:00 P.M. TO 5:00 A.M. DURING COMMUNITY QUARANTINE AND A POLICY OF STRICT SOCIAL DISTANCING AND PROVIDING FOR THE PENALTIES THEREOF IN THE WHOLE MUNICIPALITY OF BAYAMBANG, PANGASINAN" AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT

WHEREAS, the Sangguniang Bayan of Bayambang, Pangasinan submitted its Municipal Ordinance No. 07, Series of 2020 to the Sangguniang Panlalawigan for review and evaluation pursuant to Section 56 of R.A. No. 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, the Committee on Laws and Ordinances of the Sangguniang Panlalawigan, with the technical assistance of the Provincial Legal Officer, have conducted initial review and study on said municipal ordinance and found out that the same was enacted pursuant to Sections 16, 17 (b) (2) of RA 7160; Executive Order No. 0013-2020, entitled "An Order Placing the Province of Pangasinan under Community Quarantine to Curb the Spread of COVID-19" dated March 16, 2020, imposing a province-wide curfew after State of Public Emergency, Presidential Proclamation No. 922 was declared; Joint Resolution Nos. 11 and 12, both S-2020 of the IATF-EID; and Provincial Ordinance No. 235-2020, entitled "An Ordinance Requiring the Mandatory Wearing of Face Masks by all Persons in Public Places Within the Territorial Jurisdiction of the Province of Pangasinan During the Period of Enhanced Community Quarantine and For Any Extension Thereof";



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WHEREAS, subject ordinance shall take effect after the Sanggunian has complied with the requirements of posting and publication pursuant to Sections 59 and 511 of RA 7160;

WHEREFORE, in view of the foregoing, on motion of SP Members Vici M. Ventanilla and Angel M. Baniqued, Jr. and co-sponsored by SP Members Sheila Marie S. Perez-Galicia, Jerome Vic O. Espino and Jose G. Peralta, Jr, duly seconded, it was –

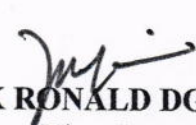
RESOLVED, by the Sangguniang Panlalawigan in session assembled, to declare Municipal Ordinance No. 07, S-2020 of the Sangguniang Bayan of **Bayambang**, Pangasinan, entitled “An Ordinance imposing curfew from 8:00 p.m. to 5:00 a.m. during community quarantine and a policy of strict social distancing and providing for the penalties thereof in the whole municipality of Bayambang, Pangasinan” as within the conferred powers of the Sangguniang Bayan to enact;

RESOLVED FURTHER, that a copy of this resolution be furnished the Office of the Sangguniang Bayan of Bayambang, Pangasinan, for its information and guidance.

CERTIFIED BY:


VERNA T. NAVA-PEREZ
Secretary to the Sanggunian

ATTESTED:


MARK RONALD DG. LAMBINO
Vice Governor
(Presiding Officer)



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MUNICIPALITY OF BAYAMBANG
OFFICE OF THE SANGGUNIAN BAYAN



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MUNICIPAL ORDINANCE NO. 07, SERIES OF 2020

AN ORDINANCE IMPOSING CURFEW FROM 8:00 P.M. TO 5:00 A.M. DURING COMMUNITY QUARANTINE AND A POLICY OF STRICT SOCIAL DISTANCING AND PROVIDING FOR THE PENALTIES THEREOF IN THE WHOLE MUNICIPALITY OF BAYAMBANG, PANGASINAN

*Authored by: Hon. Benjamin Francisco S. De Vera
Sponsored by all Municipal Councilors*

WHEREAS, the 1987 Constitution provides that the maintenance of peace and order, protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, Section 16 of Republic Act. No. 7160 otherwise known as the "Local Government Code of 1991" states that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, are those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure support the promotion of health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, under the same Code, the Sangguniang Bayan shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the Municipality and its inhabitants pursuant to Section 16 thereof, and for efficient and effective Municipality government, maintain peace and order by enacting measures to prevent and suppress lawlessness and disorder, and adopt measures to protect the inhabitants of the Municipality from the harmful effects of man-made or natural disasters and calamities.

WHEREAS, the Sangguniang Bayan also has the power to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of the Local Government Code, and in addition to said services and facilities, approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

WHEREAS, the Municipality of Bayambang recognizes the right of every Bayambangueño, to health, and shall protect their lives and limbs from any form of danger;



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WHEREAS, there is an emergence of a novel corona virus that has been acknowledged by the global community to cause public health emergencies of international concern;

WHEREAS, the World Health Organization (WHO) has already assessed that Covid-19 can be characterized as a pandemic;

WHEREAS, on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a Public Health Emergency throughout the Philippines due to COVID-19;

WHEREAS, on March 12, 2020, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) issued Resolution No. 11, Series of 2020 placing the entire country into Code Red Sublevel 2, and President Duterte approved the imposition of Stringent Social Distancing Measures.

WHEREAS, at present, the Department of Health (DOH) recorded 11,086 confirmed cases of COVID-19 infections, 1099 recovered already, and 726 accounted fatalities. Throughout the country, there are still thousands being monitored and investigated, and the number continues to rise.

WHEREAS, as of May 11, 2020, the Municipality of Bayambang has already 3 confirmed cases of COVID-19 infections, 5 persons under investigation (PUI), 3 recoveries from the confirmed cases, 1 fatality from confirmed case, 5 fatalities from PUI and 33 persons under monitoring (PUM);

WHEREAS, the alarming increase in the spread of the novel corona virus calls for decisive, urgent action. As is it now, for everyday of delay in our action to contain the spread of the virus, it will mean the exponential increase in people getting infected; An emergency such as the spread of the corona virus requires immediate action as the time is the essence, public interest dictates that we must act fast to protect the health of the people;

WHEREAS, as one of the important measures to prevent the spread of the virus, there is a need to pass legislation of a temporary nature imposing curfew for all residents of the Municipality during the 30-day quarantine period;

WHEREAS, this august body also 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 corona virus in the Municipality.



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NOW THEREFORE, on motion of SB Member Gerardo DC. Flores, duly seconded;

BE IT ENACTED, by the Sangguniang Bayan of Bayambang in session assembled that:

Section 1. Curfew hours; covered persons. There is hereby imposed the curfew hours for all persons in the Municipality of Bayambang between 8:00 PM to 5:00 AM during the community quarantine period imposed by the National Government.

Section 2. Exemptions. The following shall be exempted from the implementation of the curfew:

- a) Those who work at night such as hospital personnel such as doctors, nurses, and other health personnel, ambulance drivers, security guards, and those who may be allowed by the Task Force herein created by the Municipality;
- b) Delivery of basic necessities like food and medicines;
- c) Peace and Order Personnel in both Municipality and barangay levels as determined by the Local Chief Executive;
- d) Emergency cases as determined by the Public Order and Safety Office;
- e) All elected Government Officials

Section 3, Social Distancing in the following places. Social distancing of at least two (2) meters or six (6) feet radius from one person to another shall be strictly observed in the following places:

- a) Inside and outside of business establishments, market, pharmacies, banks, remittance centers, medical and quarantine facilities, private and government offices and other institutions authorized or allowed to operate under the General Community Quarantine.
- b) Entry/exit points, checkpoint, roads or alleys in the barangay, subdivision or villages.

Section 4, Designation of Floor or Pavement Markings. All business establishments, markets, pharmacies, banks, remittance centers, medical and quarantine facilities, public and private offices and other institutions located in the municipality that are authorized to operate under the General Community Quarantine (GCQ) should designate floor or pavement markings within their premises of at least one meter (six feet) distance from one person to another to maintain the required social or physical distancing.



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Section 5, Enforcement. This Ordinance shall be primarily implemented by the PNP-Bayambang to be assisted by the following authorities:

- a.) Public Order and Safety Office
- b.) Bayambang Anti-COVID-19 Task Force
- c.) Barangay and SK officials including members of Tanod

Section 6. Guidelines in Apprehension.

- a.) All apprehending officers shall wear their uniforms and proper identification at all times while on duty.
- b.) In case the violator is a minor, the parents or guardian shall be notified by the apprehending officer, and the minor shall only be released to the said parents or guardian, without prejudice to the prosecution of the parents or guardians under the Code of Parental Responsibility.
- c.) Persons in violation of this ordinance, shall be brought to the nearest police station for proper arrest and detention.
- d.) Any homeless, abandoned, or neglected person found in violation of this Ordinance shall be brought to the Municipal Social Welfare and Development Department within twelve (12) hours from apprehension.

Section 7. Penalties. Any person found violating this Ordinance shall suffer:

- 1st offence – Php1,500 fine and/or imprisonment of not less than twelve (12) hours but not more than five (5) days, or both at the discretion of the court.
- 2nd offence- Php2,000 fine and/or imprisonment of not less than five (5) days but not more than seven (7) days, or both at the discretion of the court.
- 3rd offence- Php2,500 fine and/or imprisonment of not less than seven (7) days but not more thirty (30) days, or both at the discretion of the court.

Prejudice to the prosecution for violations of offenses under other Ordinances of the Municipality of Bayambang, special laws, and the Revised Penal Code.



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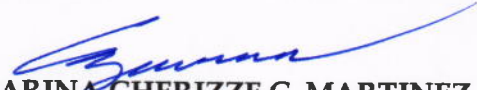
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Section 8. Separability Clause. If any provision of this Ordinance is determined to be unconstitutional, invalid, illegal, or unenforceable, its remaining provisions shall remain in full force as though the Ordinance did not originally include such invalid, illegal or unenforceable provision.


Section 9. Effectivity. This Ordinance shall take effect immediately and shall remain in full force and effect during the community quarantine period imposed by the National Government.

ENACTED on this 11th day of May 2020, in the Municipality of Bayambang, Pangasinan.

Certified to be duly adopted and approved:


ATTY. CZARINA CHERIZZE C. MARTINEZ
SB Secretary - Designate

ATTESTED:


HON. RAUL R. SABANGAN
Municipal Vice-Mayor &
SB Presiding Officer



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"AN ORDINANCE IMPOSING CURFEW FROM 8:00 P.M. TO 5:00 A.M. DURING THE 30-DAY COMMUNITY QUARANTINE AND A POLICY OF STRICT SOCIAL DISTANCING AND PROVIDING FOR THE PENALTIES THEREOF IN THE WHOLE MUNICIPALITY OF BAYAMBANG, PANGASINAN"

**WE CONCUR:
 SANGGUNIANG BAYAN MEMBERS**


HON. MYLVIN T. JUNIO


HON. PHILIP R. DUMALANTA


HON. JOSEPH VINCENT E. RAMOS



HON. BENJAMIN FRANCISCO S. DE VERA


HON. GERARDO DC. FLORES


HON. MARTIN E. TERRADO II


HON. AMORY M. JUNIO



HON. LEVINSON NESSUS M. UY


HON. RODELITO F. BAUTISTA
 President, Liga ng mga Barangay


HON. GABRIEL TRISTAN P. FERNANDEZ
 President, SK Federation

APPROVED:




HON. CEZAR T. QUIAMBAO
 Municipal Mayor