



Republica de Filipinas  
Ciudad de Zamboanga

**OFICINA DEL CONSEJO LOCAL**

**ORDINANCE NO. 532**

**CORONA VIRUS DISEASE – 2019 (COVID-19) EMERGENCY  
ORDINANCE OF THE CITY OF ZAMBOANGA**

**AUTHORS:**

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**EXPLANATORY NOTE**

**WHEREAS**, on March 8, 2020, President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines due to the Corona Virus Disease-2019 (COVID-19) pandemic that is globally wreaking havoc to mankind. Thereafter, on March 16, 2020, President Duterte issued Proclamation No. 929 declaring a State of Calamity throughout the country as a result thereof. The disease continues to claim the lives of nearly a hundred thousand people and more than a million and a half are inflicted worldwide. In the Philippines, so far, nearly two hundred had died and almost four thousand confirmed cases have been listed. In Zamboanga City, a precious life was lost suspected from COVID-19, about half a dozen are confirmed to have it, and more than four (4) thousand have been identified as either suspected COVID-19 individuals, probable individuals with COVID-19 or confirmed COVID-19 patients. The numbers are growing day-by-day;

**WHEREAS**, in the continuing despondency as a result therefrom, economic depression is likely looming on the horizon. Peoples' lives are in tremendous devastation with more and more have either lost or are losing their jobs. The unemployed are even suffering more. Even the middle class and those who have lower middle income in life are digging deeper into their pockets to be able to get by day by day;

**WHEREAS**, the Department of the Interior and Local Government (DILG), through its power of general supervision over local government units (LGUs), had issued various memoranda circular providing guidelines to the LGUs in the fight against COVID-19 in their respective areas of jurisdiction;

**WHEREAS**, in response to the presidential proclamations and the DILG circulars, the City Mayor issued several executive orders to immediately address the pandemic within the territorial jurisdiction of the City. Significant of which are Executive Order (E.O.) No. BC-548-2020, as amended by E.O. No. BC-556-2020, which created and expanded the membership of the Inter-Agency Task Force on the COVID-19 in the City; E.O. No. BC-553-2020 and its Supplementary Guidelines declared Zamboanga City under an enhanced community quarantine (ECQ); E.O. No. BC-558-2020 is an act strengthening the declaration of the ECQ in the City; E.O. No. BC-560-2020 mandated all residents in the City to wear mask whenever they go out of their residences; E.O. No. BC-561-2020 provided for the responsible handling of information of persons related to COVID-19 cases and strict implementation of health protocols. The foregoing issuances were likewise based on the General Welfare Clause of the Local Government Code of 1991, as amended, whereby every local government unit (LGU) shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary or incidental for its efficient and effective governance and those which are essential to the general welfare. Thus, LGUs shall ensure, among others, the promotion of the health and safety of their constituents and the maintenance of peace and order in their localities;

**WHEREAS**, on March 23, 2020, Congress enacted Republic Act No. 11469, entitled "Bayanihan to Heal as One Act" which provided for certain emergency powers to the President to (a) mitigate and contain the transmission of the COVID-19; (b) immediately mobilize assistance in the provision of basic necessities to those affected by the community quarantine; (c) undertake measures to prevent overburdening of the health system; (d) immediately provide healthcare to those affected; (e) undertake recovery and rehabilitation, including social amelioration program; (f) provide readily available funding; (g) partner with the private sector and stakeholders in the delivery of these programs; and (h) promote and protect the interests of the Filipinos.

**WHEREAS**, on March 27, 2020, the Sangguniang Panlungsod passed Resolution No. 528 providing a stand-by authority to the City Mayor, when absolutely needed, to enter into related contracts/agreements with any party; undertake credits and other forms of indebtedness with any government or domestic private bank/s and other lending institutions for purposes allowed and pursuant to the provisions of the Local Government Code of 1991, as amended, and subject further to budgetary and accounting rules and regulations, to address the COVID-19 and to assist in the uplifting of the lives of the residents of the City during these challenging times and in the aftermath thereof. The same resolution likewise created a legislative Oversight Committee to oversee the implementation of the foregoing authority;



**WHEREAS**, there is an immediate need to enact this emergency measure to urgently tackle the pandemic by regulating certain actions of the public for their own protection as well as those of others. While the City Council recognizes the immediate actions of the City Mayor through the issuances of executive orders, nevertheless, such orders have, so-to-speak, no teeth to bite those who refuse to adhere. Acts or omissions which are sought to be prohibited and penalized can only be addressed through a regulatory ordinance and not by executive issuances.

**NOW, THEREFORE**, be it ordained by the Sangguniang Panlungsod of Zamboanga, in a session assembled that:

**SECTION 1. TITLE.** This Ordinance shall be known and cited as the “COVID-19 Emergency Ordinance of the City of Zamboanga”.

**SECTION 2. DECLARATION OF POLICY.** It is hereby a declared policy that the City of Zamboanga shall protect and promote the right to health of its constituents and instill health consciousness among them. Corollary thereto, the City hereby declares war against the unseen enemy called the Corona Virus Disease-19 (COVID-19). In so doing, it shall undertake and exert all possible efforts and actions in combating such a dreaded disease within its territorial jurisdiction. It shall allocate and mobilize resources to meet the demands of mitigating and containing such disease, undertake socio-economic programs by providing assistance and basic necessities more particularly to the underprivileged constituents.

It shall also be the policy of the City to regulate certain actions of its constituents and compel them to perform acts to protect and promote public health, safety, order and interest for the general welfare during this time of global emergency and calamity.

It shall likewise be the policy of the City to adhere to appurtenant laws, rules and regulations, circulars, and other issuances promulgated by higher competent authorities relative to addressing the COVID-19 pandemic. This ordinance takes specific cognizance of DILG Memorandum Circular No. 2020-062 dated March 21, 2020 which states in part that “... LGUs are strictly enjoined to use the guidelines and advisories as pillars in implementing local programs and activities relative to the State of Calamity. LGUs in close coordination with the Philippine National Police (PNP) are advised to adhere to the guidelines and not to overextend its implementation, nor deliberately leave out its explicit provisions”.

**SECTION 3. COVERAGE.** This ordinance shall be applicable during the duration of the State of Public Health Emergency and/or the State of Calamity as declared by the president in pursuit of combating the COVID-19 pandemic in the country. It shall also be applicable to those circumstances or acts done in the aftermath of the lifting of such emergency or calamity; *PROVIDED, THAT*, such circumstances or acts are within the one (1) year period from the effectivity of this ordinance, or unless sooner repealed by the Sangguniang Panlungsod.

**SECTION 4. AUTHORIZED POWERS OF THE CITY MAYOR.** The City Mayor is hereby empowered to perform all powers and may issue executive orders in pursuit of combating the COVID-19 pandemic as allowed under existing laws, rules and regulations, circulars, and other issuances promulgated by higher competent authorities as well as those granted by the Sangguniang Panlungsod.

The powers include the declaration of placing the entire City, particular barangays or areas within the City under enhanced community quarantine (ECQ), or limited form of quarantine including the lifting thereof when circumstances so warrants. The lifting shall be subject to the concurrence of the Sangguniang Panlungsod.

Consistent with the foregoing, the Sangguniang Panlungsod hereby gives its concurrence to those executive orders already issued by the City Mayor relative to the war against this pandemic.

When local circumstances so warrant or when national regulations are being eased as provided by higher authorities, the City Mayor is hereby authorized to immediately lift the relevant regulations or prohibitions as hereunder enumerated; *PROVIDED, THAT*, such lifting shall require the concurrence of the Sangguniang Panlungsod at the earliest opportunity.

**SECTION 5. REGULATIONS AND PROHIBITIONS.** In addition to acts or omissions already regulated and penalized under existing laws, the following regulations and/or prohibitions are hereby imposed upon all individuals within the territorial jurisdiction of the City within the period of the COVID-19 emergency or calamity, or unless such regulations and/or prohibitions are hereby lifted, to wit:

- a) Any form of COVID-19-related discrimination, harassment, violence, and the like, directed against suspected COVID-19 individuals, probable individuals with COVID-19 or confirmed COVID-19 patients, or any member of their family, physicians, nurses, medical technicians, members of the emergency medical teams, and other medical staff, to include volunteers and other medical “frontliners” shall be strictly prohibited;
- b) Department of Health (DOH) as well as city medical officials and personnel, medical professionals, hospital administrative staff and aides from private and public medical facilities, Philippine Red Cross (PRC) personnel, ambulances and other medical vehicles, World Health Organization (WHO) country and regional officials shall be accorded unrestricted movements. This form of unreasonable restriction of movement is hereby prohibited;
- c) During the period of ECQ, strict home quarantine shall be observed in all households; movements shall be limited to accessing of basic necessities and provision of food and essential health services; and there shall be heightened presence of uniformed personnel to enforce quarantine procedures. For this purpose, only one (1) individual per household shall be allowed to leave their home, unless otherwise determine by the competent authorities, when the circumstances so demand. The City Mayor shall likewise be authorized to determine mechanisms that will lessen the number of individuals going to public places. Barangay officials shall be directed to monitor compliance of this policy;
- d) Personal information of suspected COVID-19 individuals, probable individuals with COVID-19 or confirmed COVID-19 patients such as names, addresses, medical details, among others, shall be held strictly confidential, unless so waived by the patient;



- e) Mandatory wearing of face mask whenever allowed to go outside of residences shall be strictly complied. For this purpose, a face mask shall mean a protective gear used to cover the nose and mouth and usually even onto the chin. Due to the prevailing shortage of face mask supplies, wearing of improvised masks and other protective equipment, such as indigenous, reusable, homemade or do-it-yourself masks, face shields is allowed. Further, frontline service workers including but not limited to food service providers, grocery attendants, pharmacist, market stall attendants, farmers market (taboh), shall, in addition, wear face shield and gloves;
- f) Mandatory physical or social distancing of one (1) meter or more from another individual shall be strictly required, unless otherwise a new distancing requirement of more than one (1) meter is mandated by competent authority. As such, establishments allowed to operate during the enhanced community quarantine (ECQ) shall ensure faithful compliance of their customers and clients of such regulation. Failure of any establishment to require their customers and clients to follow the mandatory physical or social distancing policy shall make them jointly and severally liable with such customers and clients;
- g) Personal hygiene is mandatory. The public is required to properly and frequently wash hands to prevent viral contamination;
- h) Daily curfew hours shall be implemented from 9:00 P.M. to 5:00 A.M. of the next day; *PROVIDED, THAT*, a twenty-four hour curfew shall be implemented on minors and senior citizens for their protection, unless for valid and compelling reasons such as when a senior citizen is left alone to undertake marketing, they may be allowed to leave their residences; *PROVIDED, FURTHER*, that when the exigency of circumstances so requires, the City Mayor is empowered to determine new curfew hours. Violation of the curfew shall be penalized accordingly;
- i) City-wide liquor ban is imposed twenty-four hours a day, seven days a week (24/7) whereby drinking of alcoholic drinks and beverages in public places, to include convenience store, sari-sari store and the like is strictly prohibited. Violation hereof shall be penalized accordingly;
- j) Any and all forms of public transportation shall be temporarily suspended. Violation hereof shall be penalized hereunder;
- k) Suspension of classes are hereby imposed. This covers pre-school, K to 12, tertiary, technical-vocational, madrasah, non-formal and alternative education and graduate studies. Violation hereof shall be penalized hereunder;
- l) Prohibitions on mass gatherings such as but not limited to weddings, parties, orientations, ceremonies, religious and cultural gatherings, assemblies, sports events and similar congregation shall be imposed. For purposes of this provision, a mass gathering shall be a conglomeration of more than three (3) individuals;
- m) Funeral services are permitted, *PROVIDED, THAT*, wakes, rituals and prayers involving non-family members shall be strictly discouraged. Only the employees of the funeral service provider, immediate families of the deceased and the officiating priests/imam/pastor/other religious ministers shall be allowed;
- n) All constructions and infrastructure projects are hereby suspended;
- o) Inbound and outbound movements of cargoes, shipments and container van/trucks carrying crop commodities, fishery and aquatic products, live poultry and livestock, including meat and meat products, and farm inputs shall be allowed passage provided that the Food Resiliency Protocol promulgated by the

Department of Agriculture through Memorandum Circular No. 7 dated March 1, 2020 are adhered to;

- p) Inbound and outbound movement of cargoes, shipments and container van/trucks carrying essential food products, medicines and supplements, beverages, hospital or medical supplies, coal, oil, fuel, machineries, and other goods are not prohibited from transporting provided that each vehicle shall not carry in excess of three (3). The excess shall be immediately and mandatorily disembarked;
- q) Disregarding checkpoints or non-adherence to lawful directives of law enforcers manning checkpoints shall be prohibited;
- r) Hoarding of essential commodities, profiteering and price manipulation shall be punishable. The Zamboanga City Local Price Coordinating Council and/or the Department of Trade and Industry (DTI) shall issue a list of commodities that shall be strictly monitored to prevent or address hoarding, profiteering and other illegal acts of price manipulation;
- s) As much as practicable, “non-essential” establishments are encouraged to operate and allow their employees to work on a home-based system; and
- t) Other regulations and prohibitions relative to the war against the COVID-19 as may be issued or promulgated by the President, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases in the Philippines (IATF), the Department of Health (DOH), the Department of the Interior and Local Government (DILG), the Department of Trade and Industry (DTI), the Department of Agriculture (DA), the Department of Social Welfare and Development (DSWD), other concerned national government agencies and the City Mayor, in implementing a national policy or directives from higher authority, shall be implemented and shall form integral part/s of this ordinance.

**SECTION 6. BARANGAY HEALTH EMERGENCY RESPONSE TEAM (BHERT).** All barangays are hereby required to establish its BHERT. The BHERT is designated to help combat the spread of COVID-19 by managing, on the barangay level, suspected COVID-19 individuals, or probable individuals with COVID-19 and those who came in contact with them. BHERT members are also tasked with the monitoring and reporting of suspected and probable individuals with COVID-19 within the barangay’s jurisdiction.

All barangay officials are required to ensure that the following are complied with in accordance with the DILG Advisory dated April 11, 2020:

- a) No Barangay nor LGU checkpoints shall be established without the authority of the Philippine National Police (PNP);
- b) Ensure the unimpeded and unhampered movement of all types of cargo (food and non-food), and allow the passage of personnel of business establishments permitted to operate during the enhanced community quarantine (ECQ), subject to the presentation of proof of employment, and residence;
- c) No Cedula or Community Tax Receipt requirement prior to the issuance of Barangay Quarantine Pass or Home Quarantine Pass or Quarantine-related document;



- d) Barangay Quarantine Pass or Home Quarantine Pass or Quarantine-related document shall be free of charge;
- e) No Voter's ID requirement prior to the distribution of food packs, relief goods, and the like. The LGUs must ensure however, to prioritize the indigent families or the most affected families within their jurisdiction;
- f) Stringent enforcement of the "Social or Physical Distancing" in public markets, groceries, and in distributing relief goods or food packs;
- g) Ensure that precautionary measures prescribed by DOH are complied with;
- h) All "Frontliners" both in public and private sectors, upon presentation of any proof of Identification or Certification issued by their respective Offices, shall not be required to present other types of ID Card;
- i) Implement all other rules and regulations as issued and promulgated by higher competent authorities, such as the DILG, DOH, the City Mayor, among others.

**SECTION 7. SOCIAL WELFARE PROGRAM.** In addition to the social amelioration program of the national government, the City of Zamboanga shall also provide emergency assistance, subsidies and other forms of social amelioration programs particularly to the indigents, low-income households, farmers, fisherfolks, daily-wage earners, underprivileged indigenous peoples and others who belong to the lesser privileged sectors of society; *PROVIDED, THAT*, priority shall be given to those constituents who have not availed of the any social amelioration program or assistance from the national government.

**SECTION 8. SOCIO-ECONOMIC RECOVERY PLAN.** The Finance Committee of the Executive Department of the City of Zamboanga and the concerned committee/s of the Sangguniang Panlungsod, in cooperation and coordination with concerned national government agencies, the business sector, developmental non-government organizations, the academe, other sectors of society and civic organizations, and other stakeholders shall develop a comprehensive and all-inclusive socio-economic recovery plan for Zamboanga City to rebound from the devastation and uplift the socio-economic lives of the people of Zamboanga City caused by the COVID-19 pandemic.

**SECTION 9. BUDGETARY AND FUNDING REQUIREMENT.** The City Government shall exert all efforts in readjusting and realigning its budgetary allocations and its calamity fund within the parameters of existing laws, rules and regulations to meet the demand for social and economic support to the constituents and the medical and security frontliners during and in the aftermath of the pandemic. It shall, likewise, find ways and means to recover revenue losses presumptively to be caused by low collection of taxes, fees, rents and other income generating measures.

**SECTION 10. PENALTY CLAUSE.** In addition to acts or omissions already penalized pursuant to existing laws, those found to have violated this ordinance shall be penalized as follows:

- a) Discriminatory, harassment or violence and the like acts, pursuant to Section 5 (a) shall be penalized by imprisonment ranging from six (6) months to one (1) year, at the discretion of the court, and a fine of Php5,000.00;

- b) The unreasonable restriction of movement pursuant to Section 5 (b) shall be penalized by imprisonment ranging from one (1) to six (6) months, or a fine of Php1,000.00 to Php5,000.00, or both, at the discretion of the court;
- c) Violation of the home quarantine pursuant to Section 5 (c) shall be penalized by imprisonment ranging from one (1) day to one (1) month, or a fine of Php1,000 to Php5,000.00, or both, at the discretion of the court;
- d) Unlawful divulging of confidential information of patients under Section 5 (d) shall be penalized by imprisonment ranging from six (6) months to one (1) year, at the discretion of the court, and a fine of Php5,000.00;
- e) Acts or omissions mentioned under Section 5 (e), (f), (g), (h), (i), (j) and (k) are hereby penalized by imprisonment ranging from one (1) day to one (1) month, or a fine of Php500.00 to Php5,000.00, or both, at the discretion of the court; *PROVIDED, THAT*, if the offender is a juridical entity, the officers responsible for such commission or omission shall be penalized accordingly;
- f) Prohibitions on mass gatherings under Section 5 (l) shall be penalized by imprisonment ranging from one (1) to six (6) months, at the discretion of the court, and a fine of Php5,000.00;
- g) Violation of unlawful construction under Section 5 (n) shall be penalized by imprisonment ranging from one (1) to six (6) months, at the discretion of the court, and a fine of Php5,000.00; *PROVIDED, THAT*, if the offender is a juridical entity, the officers responsible for such commission shall be penalized accordingly;
- h) Disregarding checkpoints or non-adherence to those manning checkpoints under Section 5 (q) shall be penalized by imprisonment ranging from one (1) day to one (1) month, or a fine of Php500.00 to Php5,000.00, or both, at the discretion of the court;
- i) Hoarding of essential commodities, profiteering and price manipulation under Section 5 (r) shall be punishable by imprisonment for one (1) year and a fine of Php5,000.00;
- j) Other acts, omissions or prohibitions under Section 5 (t) relative to the war against the COVID-19 stipulated in any issuances by the President, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases in the Philippines (IATF), the Department of Health (DOH), the Department of the Interior and Local Government (DILG), the Department of Trade and Industry (DTI), the Department of Agriculture (DA), the Department of Social Welfare and Development (DSWD), other concerned national government agencies, and the City Mayor in implementing a national policy or directive from higher authorities shall be punishable by imprisonment ranging from one (1) day to one (1) year, or a fine from Php500.00 to Php5,000.00, or both, at the discretion of the court, taking into consideration the nature and gravity of the offense.

**SECTION 11. ADMINISTRATIVE FINES.** Notwithstanding the foregoing and in the interest of justice, specific violations of this ordinance may instead be settled through the payment administrative fines, as follows:



- a) Violation under Section 5  
(b) and (c): Php1,000.00 for first offense;  
Php3,000.00 for second offense;  
Php5,000.00 for third and succeeding offenses.
- b) Violations under Section 5  
(e), (f), (g), (h), (i), (j) and (k): Php500.00 for first offense;  
Php2,000.00 for second offense;  
Php5,000.00 for third and succeeding offenses; *PROVIDED, THAT*, if the offender is a juridical entity, the officer/s responsible shall be penalized accordingly.
- c) Violations under Section 5 (l): Php5,000.00 per offense.
- d) Violation under Section 5 (n): Php5,000.00 per offense; *PROVIDED, THAT*, if the offender is a juridical entity, the officers shall be penalized accordingly.
- e) Violation of Section 5 (q): Php500.00 for the first offense;  
Php3,000.00 for the second offense;  
Php5,000.00 for the third and succeeding offenses.
- f) Violation of Section 5 (t): From Php500.00 to Php5,000.00, taking into consideration the nature and gravity of the offense, and as recommended by the City Legal Office.
- g) Violations of Section 5 (a), (d) and (r) shall not be subject to administrative fines due to the nature and gravity of the offense which may be subject to civil liabilities on the part of the offender.

**SECTION 12. CONSTRUCTION OR INTERPRETATION.** Nothing herein shall be construed as an impairment, restriction or modification of the provisions of any statutes and/or their Implementing Rules and Regulations (IRR), presidential proclamations, memoranda circular issued by the DILG, DOH and/or other national governmental agencies relative to the war against COVID-19. In case any provisions of this ordinance shall be grossly inconsistent and irreconcilable with any of the foregoing, the latter shall prevail over this ordinance upon order by a competent court.

**SECTION 13. SEPARABILITY CLAUSE.** If for any reason any provision of this ordinance is declared unconstitutional or invalid by a competent court, the remaining provisions not affected thereby shall continue to be in full force and effect.

**SECTION 14. REPEALING CLAUSE.** All ordinances, local issuances, rules and regulations, or parts thereof that are inconsistent and irreconcilable with this ordinance are hereby deemed amended, modified or repealed.

**SECTION 15. EFFECTIVITY CLAUSE.** This ordinance shall take effect immediately after its publication in a newspaper of general circulation, and unless sooner repealed by the Sangguniang Panlungsod by a simple majority vote of all members present, shall remain in full force and effect within one (1) year from its effectivity.

Should publication in a newspaper of general circulation be not possible due to closure of the publishing firms as a result of the enhanced community quarantine (ECQ), the same shall be published en toto through the City Government's official website "www.zamboangacity.gov.ph" and the Sangguniang Panlungsod's official Facebook page "Sangguniang Panlungsod of Zamboanga".

**ENACTED:** April 14, 2020, as an urgent measure.

  
**ATTY. ROMMEL S. AGAN**  
Presiding Officer

**ATTESTED:**

  
**ATTY. KENNETH VINCENT P. BELDUA**  
Secretary to the Sangguniang Panlungsod

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**APPROVED:**

  
**MARIA ISABELLE G. CLIMACO**  
City Mayor

**APR 15 2020**