



Republica de Filipinas
Ciudad de Zamboanga

OFICINA DEL CONSEJO LOCAL

ORDINANCE NO. 535

**AN ORDINANCE AMENDING ORDINANCE NO. 532, OTHERWISE
KNOWN AS THE "COVID-19 EMERGENCY ORDINANCE OF THE
CITY OF ZAMBOANGA"**

SPONSORS:

HON. CESAR M. JIMENEZ
HON. JUAN CLIMACO P. ELAGO II
HON. AL-JIHAN R. EDDING
HON. ROGELIO L. VALESICO, JR.
HON. JOSEPHINE E. PAREJA
HON. JIMMY B. VILLAFLORES
HON. JOHN M. DALIPE
HON. ELBERT C. ATILANO, SR.
HON. KHYMER ADAN T. OLASO
HON. VINCENT PAUL A. ELAGO
HON. CRISANTO B. DELA CRUZ
HON. EL KING K. OMAGA
HON. CARY JOHN O. PIOC

EXPLANATORY NOTE

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;

WHEREAS, Section 4 (b) of Republic Act No. 11469, also requires the compulsory and immediate isolation and treatment of COVID-19 patients to prevent the further spreading of the disease;

WHEREAS, on April 14, 2020, the Sangguniang Panlungsod enacted Ordinance No. 532, otherwise known as the "COVID-19 Emergency Ordinance of the City of Zamboanga" to urgently tackle the COVID-19 pandemic by regulating certain actions or omissions of the public for their own protection as well as those of others. However, additional acts not contained therein need to be regulated or prohibited for the general welfare;

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

SECTION 1. SECTION 5 of Ordinance No. 532, otherwise known as the “COVID-19 Emergency Ordinance of the City of Zamboanga” is hereby amended by incorporating paragraphs (u), (v), (w), (x) and (y) thereto and to read as follows:

xxx

“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:

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- u) Confirmed COVID-19 cases, including suspected and probable cases exhibiting severe or critical symptoms are required to undergo mandatory quarantine or isolation in an authorized quarantine/isolation facility. Suspected and probable cases exhibiting mild symptoms are required to undergo a fourteen (14) day isolation in a barangay or district quarantine/isolation facility, thereafter an additional seven (7) day home-quarantine/isolation period shall be served;
- v) All individuals who enter Zamboanga City even after the lifting of the enhanced community quarantine (ECQ) are mandated to undergo a twenty-one (21) day home-quarantine; *PROVIDED, THAT*, overseas foreign workers (OFW) shall be required to undergo a fourteen (14) day quarantine in an authorized quarantine facility, thereafter an additional seven (7) day home-quarantine/isolation period shall be served. All incoming individuals are required to divulge to health authorities all appropriate and relevant information by completely and correctly filling up a health declaration form to properly effect contact tracing;
- w) After the court of competent jurisdiction shall have issued an order releasing a detained individual, a person deprived of liberty (PDL) shall be required to undergo a fourteen (14) day mandatory quarantine/isolation in an authorized quarantine facility and a rRT-PCR test before release to the community;
- x) Suspected, probable and confirmed COVID-19 individuals or patients are required and mandated to divulge to health authorities all appropriate and relevant information to properly effect contact tracing. Willful withholding of such crucial and vital information shall be penalized hereunder;

- y) For the protection of senior citizens living in care home facilities against the pandemic, a temporary no-visitor policy is hereby adopted. All care-givers, personnel and other workers therein shall, at all times, practice personal disinfection and shall be required to wear personal protective equipment (PPE)."

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SECTION 2. SECTION 10 of Ordinance No. 532 is hereby amended by incorporating paragraphs (k) and (l) thereto and to read as follows:

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

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- k) Upon complete recovery from the COVID-19, violations of the mandatory quarantine or isolation and willful withholding of vital information under Section 5 (u), (v), (w) and (x) of Ordinance No. 532, as amended by Section 1 of this Ordinance, 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;
- l) Violation in care home facilities for the aged under Section 5 (y) of Ordinance No. 532, as amended by Section 1 of this Ordinance, 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."

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SECTION 3. SECTION 11 (g) of Ordinance No. 532 is hereby amended. Further, paragraphs (h) and (i) is hereby incorporated in Section 11 of said ordinance and to read as follows:

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

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- g) Violations of Section 5 (a), (d), (r), (u), (v), (w) and (x) of Ordinance No. 532, as amended by this ordinance, 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.

- h) Violations under Section 5 (y) of Ordinance No. 532, as amended by Section 1 of this Ordinance : Php5,000.00 per offense
- i) All administrative fines shall be paid at the Office of the City Treasurer.”

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SECTION 4. 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 5. REPEALING CLAUSE. Ordinance No. 532 is hereby amended or modified accordingly. All other 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 6. 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 effect within one (1) year from its effectivity.

ENACTED: May 6, 2020, as an urgent measure.


JOHN M. DALIPE
Temporary Presiding Officer

ATTESTED:


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

APPROVED:


MARIA ISABELLE G. CLIMACO

City Mayor

MAY 12 2020

MJ/CM