



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2020-06

AN ORDINANCE IMPOSING A MUNICIPAL-WIDE CURFEW FROM 9:00 P.M. TO 4:00 A.M. DURING A DECLARATION OF A NATIONAL PUBLIC HEALTH EMERGENCY AND OTHER SIMILAR SITUATIONS

Sponsored by: HON. MARIO T. BARTE

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 provides 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, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support the promotion of health and safety, maintain peace and order, and preserve the comfort and convenience of their inhabitants"

WHEREAS, the Municipality of Albuerza, Leyte acknowledges and recognizes every Albuerano's right to health, and shall protect their lives and limbs from any form of danger;

WHEREAS, President Rodrigo R. Duterte issued Proclamation No. 922 on March 8, 2020 declaring a Public Health Emergency throughout the country;

WHEREAS, the alarming increase of the spread of in the country and the presence of COVID-19 in the nearby municipality, require immediate action, and as time is of the essence, public interest dictates that we must act fast to protect the health of the people, and the passage of a legislation imposing curfew for all residents of the municipality during the declaration of National Health Emergency, is both timely and necessary;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Albuerza, Leyte in Session assembled that:

Section 1. CURFEW HOURS AND PERSONS COVERED - There is hereby imposed curfew hours for all persons in the Municipality of Albuerza, Leyte from 9:00 p.m. to 4:00 a.m. during the duration of the nationwide Public Health Emergency.

Section 2. EXEMPTIONS - The following shall be exempted from the implementation of this Ordinance:

- A. Those who work at night such as hospital/clinic/RHU personnel such as doctors, nurses, midwives and other health personnel, ambulance/rescue vehicle drivers, and security guards;
- B. Persons tasked for the delivery of basic necessitate such as food and medicines;
- C. Peace and Order personnel both in the municipal and barangay levels;
- D. All elected government officials.

Section 3. ENFORCEMENT - This ordinance shall be primarily implemented by the PNP-Albuerza to be assisted by the Punong Barangays and their respective Barangay Tanods within the respective territorial jurisdictions of their Barangays.

Section 4. GUIDLINES ON APPREHENSION:

- A. All apprehending officers shall wear their uniforms and proper identification at all times while on duty;

[Signature]
LENY S. BILBAO

[Signature]
IMELDA A. FADUL

[Signature]
MARY JANE B. CALILA

[Signature]
GERMANICO C. BARTE

[Signature]
TITA F. ALAJAS

[Signature]
SIXTO B. DELA VICTORIA

[Signature]
PAMELA M. BOHOLST

[Signature]
JOSE B. BARTOLO

[Signature]
ALBERTO C. SUMALJAG

[Signature]
ROXANNE A. ZALDIVAR

[Signature]
MARIO T. BARTE

[Signature]
MIGUEL D. RETUYA

[Signature]
MANUEL E. BANTASAN

B. In case the violator is a minor, the parents or guardians shall be notified by the apprehending officer, and the minor shall only be released to the said parents or guardians, without prejudice to the prosecution of the parents or guardians under existing laws;

C. Any person violating this ordinance shall be immediately accompanied to his or her residence. Should the violator refuse to be accompanied to his or her residence, he or she shall be brought to the nearest Police Station for proper arrest and detention.

Section 5. PENALTIES - Any person found violating this ordinance shall suffer the fine of One Thousand Pesos (Php. 1,000.00) and/or imprisonment of up to one week, without prejudice to the prosecution for violation or offenses under other existing laws and the Revised Penal Code.

Section 6. SEPARABILITY CLAUSE. - If, for any reason, any section or provision of this Ordinance is declared invalid or unconstitutional, other sections or provisions of thereof which are not affected thereby shall continue to be in full force & effect.

Section 7. EFFECTIVITY - The provisions of this Ordinance shall take effect immediately upon approval.

APPROVED.

ENACTED BY THE 10TH SANGGUNIANG BAYAN OF ALBUERA, LEYTE DURING ITS 43RD REGULAR SESSION HELD ON MAY 11, 2020 AT THE SB SESSION HALL.

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:



HON. GERMANICO C. BARTE
SB Member/Floor Leader


HON. MANUEL E. BANTASAN
SB Member


HON. ALBERTO C. SUMALJAG
Liga ng Mga Barangay President/
Ex-Officio Member


HON. MARY JANE B. LAGULA
SB Member


HON. MIGUEL D. RETUYA
SB Member


HON. JOY S. PATRICIO
SK Federation President/
Ex-Officio Member


HON. IMELDA A. FADUL
SB Member


HON. MARIO T. BARTE
SB Member


HON. LENY S. BILBAO
SB Member


HON. ROXANNE R. ZALDIVAR
SB Member

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the 10th Sangguniang Bayan of Albuer, Leyte on its 43rd Regular Session on May 11, 2020 at the SB Session Hall of Albuer, Leyte.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


HON. TITA P. ALAJAS
Municipal Vice-Mayor/Presiding Officer

APPROVED:


HON. SIXTO B. DE LA VICTORIA
Municipal Mayor

Date: 5-12-20