



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE PROVINCE OF BATAAN ON JUNE 03, 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. Doroteo M. Austria, Board Member (FABC President)
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

SANGGUNIANG PANLALAWIGAN  
CAPITOL BATAAN  
RELEASED  
RECORDS DIVISION  
JUN 08 2020

ABSENT:

None

### PROVINCIAL ORDINANCE NO. 09 SERIES OF 2020

**AN ORDINANCE REQUIRING THE USE OF FACE MASKS IN PUBLIC PLACES BY ALL PERSONS WHO ARE WITHIN THE JURISDICTION OF THE PROVINCE OF BATAAN DURING THE ENHANCED COMMUNITY QUARANTINE OR GENERAL COMMUNITY QUARANTINE AND ANY EXTENSION THEREOF.**

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

WHEREAS, there is a Presidential Proclamation No. 922 series of 2020 issued by President Rodrigo Roa Duterte declaring a State of Public Health Emergency throughout the Philippines due to COVID-19 which enjoins all government agencies and Local Government Units to render full assistance and cooperation in this time of health crisis;

ALBERT S. GARCIA  
Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

*Handwritten signatures on the left margin:*  
 - Top: *Ma. Cristina M. Garcia*  
 - Middle: *Godofredo B. Galicia, Jr.*  
 - Bottom: *Albert S. Garcia*

*Handwritten signatures on the right margin:*  
 - Top: *Benjamin C. Serrano, Jr.*  
 - Middle: *Manuel N. Beltran*  
 - Bottom: *Rosita N. Sison*

WHEREAS, President Rodrigo R. Duterte, through Presidential Proclamation No. 929, declared a State of Calamity throughout the Philippines due to the COVID-19 infection for a period of six (6) months, unless earlier lifted or extended as the circumstances may warrant;

WHEREAS, in order to overcome the present threat of COVID-19, the Province of Bataan must require simultaneous efforts on different fronts, including all the persons who are living or working in Bataan, to cooperate together and work harmoniously with a common goal of defeating the COVID-19 threat;

WHEREAS, all persons are hereby enjoined to work together, among others, to protect and support our health workers and front liners, ensure that the enhanced community quarantine ("ECQ") or general community quarantine ("GCQ") is strictly implemented and direct everyone to be part of the solution in reducing the local or community transmission of COVID-19;

WHEREAS, under Section 5.1.1 of DILG Memorandum Circular No. 2020-062 entitled as "suppletory 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, "all LGUs are charged with the promotion of health and safety within their jurisdiction. As such, they are to take the lead in the prevention and control of the spread of COVID-19 at the local level",

WHEREAS, in fighting this invisible enemy, the mandatory use of face masks can significantly reduce the possibility of local or community transmission and can effectively reduce the contagion in the communities especially by persons who are asymptomatic but may already be carriers of COVID-19;

WHEREAS, by mandating the use of face masks result to reduced COVID-19 infections, the people of the Province of Bataan are keeping the health workers and hospitals from becoming overwhelmed with COVID-19 patients;

WHEREAS, there is a need to adopt additional concrete measures to prevent, contain and restrict the spread of infectious/communicable diseases, pandemics, epidemics, and/or outbreaks of diseases;

WHEREAS, it is in these trying times that the Provincial Government of Bataan invokes the principle of *Parens Patriae* by making sure that its constituents are protected to the fullest extent possible;

WHEREAS, Section 15 of Article II of the 1987 Constitution provides that, "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, the General Welfare clause of the Local Government Code of 1991, provides that "(e)very 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";

ALBERT S. GARCIA  
Provincial Governor

Calatagan (municipality)

Law.

Handwritten notes and signatures on the right margin, including a large signature and the text "Duterte" and "Calatagan".

NOW THEREFORE, BE IT ENACTED BY THE PROVINCE OF BATAAN, in special session assembled that:

SECTION 1. Title. This Ordinance shall be known as the Mandatory Use of Face Mask Ordinance.

SECTION 2. Coverage. All persons who are found within the territorial jurisdiction of Province of Bataan are covered by this Ordinance.

SECTION 3. Definition of terms:

- a. Face Masks - shall mean a protective device that is firmly fastened over the face and covering at least the nose and mouth which serves as a protection or barrier against the spread or infection of COVID-19 virus and other airborne pathogens, such as surgical masks, N95 masks, face shields, ear-loop mask, cloth mask, handkerchief, bandana or scarf, do-it-yourself masks and similar contraptions or device that is sufficient to prevent the spread of the disease.
- b. Public places - all places in the Province of Bataan, 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, public transportation, schools, work places, government offices and facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment, and other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people may gather such as, but not limited to, parks, playgrounds, sports grounds, health/hospital compounds, markets, walkway, waiting areas and other similar places.

Further, it shall also include public utility or common utility vehicles such as buses and minibuses, shuttles and vans that ferry individuals and employees to and from their homes and places of work or other location.

SECTION 4. Mandatory Use of Face Masks - The proper use or wearing of face masks, as defined herein, is hereby strictly required in all public places within the territorial jurisdiction of the Province of Bataan.

SECTION 5. Responsibility of Government Offices and Private Commercial Establishments. To effectively promote and encourage compliance to this Ordinance, all government offices and private commercial establishments operating in the Province of Bataan shall conspicuously display at or near the entrance of the establishment a full copy of this Ordinance and a "No Mask, No Entry" sign. All private commercial establishments operating in the Province of Bataan strictly prohibit entry of any person who is not wearing a face mask.


SECTION 6. Enforcement. Members of the PNP, respective Municipal Marshals, Barangay Tanods, deputized task force and other government law enforcement personnel, shall apprehend violators of this ordinance.

ALBERT S. GARCIA  
Provincial Governor

SECTION 7. Penalties. Any person who fails to wear a face mask shall be penalized with an administrative fine of Two Thousand Pesos (Php 2,000. 00) for every violation. A violator shall have a period of two (2) hours within being cited for a violation to secure a face mask. Failure of the same to secure and wear a face mask within the said period can make the same liable again for another violation.


SECTION 8. Effectivity Clause. This Ordinance shall take effect immediately upon compliance with the requirements of the relevant provision of RA 7160 and shall continue notwithstanding the lifting of ECQ or MCQ until or while the threat of COVID-19 is still persisting, subject to the issuance and/or guidelines of the proper government authority.

APPROVED UNANIMOUSLY.

  
SEVERINO P. SALAZAR  
Secretary to the SP

  
BENJAMIN C. SERRANO, JR.  
Board Member

  
JOMAR L. GAZA J.D.  
Board Member

  
REYNALDO T. IBE, JR.  
Board Member

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

  
MARIA KRISTINE 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

  
ALBERT S. GARCIA  
Provincial Governor





DOROTEO M. AUSTRIA  
Board Member  
(FABC President)



NOEL JOSEPH L. VALDECAÑAS  
Board Member  
(PCL President)



PRECIOUS D. MANUEL  
Board Member  
(SKF President)



ROSITA N. SISON  
Board Member  
(IPM Representative)

ATTESTED:



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

APPROVED:



ALBERT S. GARCIA  
Provincial Governor  
Date: \_\_\_\_\_