



**cagayan
de Oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
(088) 857-2258; 857-4029; 857-4032; 857-4035
www.cdeo-sanggunian.online



ORDINANCE NO. 13855-2020

AN ORDINANCE PROVIDING FOR THE GENERAL GUIDELINES, RULES AND REGULATIONS DURING THE PERIOD OF COMMUNITY QUARANTINE IN CAGAYAN DE ORO CITY AS DECLARED BY THE CITY MAYOR OR THE NATIONAL GOVERNMENT IN RELATION TO A PROCLAMATION OF STATE OF PUBLIC HEALTH EMERGENCY, EPIDEMIC OR PANDEMIC, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

BE IT ORDAINED by the 19th City Council (Sangguniang Panlungsod) in session assembled, that:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. TITLE – This Ordinance shall be known and cited as the Community Quarantine Guidelines, Rules and Regulations of 2020.

SECTION 2. COVERAGE – This Ordinance shall be applicable only during the period of community quarantine in Cagayan de Oro City in relation to a declaration of state of public health emergency, epidemic or pandemic by government authorities.

SECTION 3. DEFINITION OF TERMS – Whenever used in this Ordinance, the following terms shall mean as follows:

- (a) **Suspect, Probable, and Confirmed cases** are those defined by the protocols and guidelines of the Department of Health.
- (b) **Health workers** are those who deliver care and services to the sick and ailing, either directly or indirectly. Health workers include, among others, doctors, nurses, hospital and clinic aides, and laboratory technicians.
- (c) **Frontliners** include officers and members of the PNP, AFP, PCG and instrumentalities of the government rendering emergency frontline services, border control and other critical services. Frontliners also include service workers who are working in private establishments providing basic necessities and such activities related to food and medicine production, *i.e.* public markets, supermarkets, groceries, convenience stores, hospitals, medical clinics, pharmacies and drug stores, food preparation and delivery services, water-refilling stations, manufacturing and processing plants of basic food products and medicines, banks, money transfer services, power, energy, telecommunications and water supplies and other related facilities.
- (d) **Shelter-in-Place** – means to find or take refuge in a safe place indoors which means the habitual place of residence for Cagayan de Oro City residents or temporary place of residence for non-residents;
- (e) **Essential Persons and Services** – means persons and services extremely important or absolutely necessary to the community, the interruption of which would endanger the life, health or personal safety of the whole or part of the population.
- (f) **Public Health Emergency** is any health emergency or calamity occurring within the municipality and the local chief executive or the President declared it as a State of Calamity.
- (g) **Pandemic** – is an event in which a disease is actively spreading throughout the whole country or entire world;
- (h) **Outbreak** – a sudden rise in the incidence of a disease;



cagayan
de Oro
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035
www.cdeo-sanggunian.online



PAGE 2 OF 11 OF ORDINANCE NO. 13855-2020

- (i) **Face Mask** refers to a barrier device or protective mask covering the nose and mouth either reusable, washable, improvised, customized or disposable.
- (j) **General community quarantine**, in which the movement of people is limited to accessing basic services and going to work, with quarantine officers present at border points. This is a preemptive to help decrease the risk of spreading the disease especially to those who are at higher risk of infections; a strategy to control the spread of an outbreak or the occurrence of an outbreak.
- (k) **Public Places** mean all places, 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, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports grounds or centers, church grounds, health/hospital compounds, transportation terminals, markets, parks, resorts, walkways, entrance ways, waiting areas, and the like.
- (l) **Basic Necessities** include rice; corn; bread; fresh, dried and canned fish and other marine products, fresh pork, beef and poultry meal; fresh eggs; fresh and processed milk; fresh vegetables; root crops; coffee; sugar; cooking oil; salt; laundry soap; detergents; firewood; charcoal; candles, etc. as classified by the Department of Agriculture (DA) and the Department of Trade and Industry (DTI); and drugs classified as essential by the Department of Health;
- (m) **Panic-buying** is the abnormal phenomenon where consumers buy basic necessities and prime commodities grossly in excess of their normal requirement resulting in undue shortages of such goods to the prejudice of less privileged consumers;
- (n) **Person** means a natural person or juridical person;
- (o) **Price ceiling** means the maximum price at which any basic necessity or prime commodity may be sold to the general public;
- (p) **Prime Commodities** include fresh fruits; flour; dried processed and canned pork; beef and poultry meat; dairy products not falling under basic necessities; noodles; onions; garlic; vinegar; patis; soy sauce; toilet soap; fertilizer; pesticides; herbicides; poultry; swine and cattle feeds; veterinary products for poultry, swine and cattle; paper; school supplies; nipa shingles; sawali; cement; clinker; GI sheets; hollow blocks; plywood; plyboard; construction nails; batteries; electrical supplies; light bulbs; steel wire, etc. as classified by the Department of Agriculture (DA) and Department of Trade and Industry (DTI); and all drugs not classified as essential drugs by the Department of Health.
- (q) **Social Distancing** refers to maintaining a greater than usual physical distance from other people or of avoiding direct contact with people or objects in public places, keeping a distance of 2 meters or 6 feet from other people and avoiding non-essential trips outside residence during the outbreak of COVID-19 or other emerging infectious and contagious diseases in order to minimize exposure and reduce the transmission of infection.
- (r) **Hoarding** refers to the undue accumulation by a person or a combination of persons of any basic commodity beyond his or their normal inventory levels or the unreasonable limitation or refusal to dispose of, sell or distribute the stocks of any basic necessity of prime commodity to the general public or the unjustified taking out of any basic necessity or prime commodity from the channels of reproduction, trade, commerce and industry.
- (s) **Profiteering** refers to the sale or offering for sale of any basic necessity or prime commodity at a price grossly in excess of its true worth.



- (t) **Alcoholic liquor** refers to spirituous or intoxicating liquors of any kind, and includes whiskey, vodka, ale, beer, brandy, gin, rum, champagne, caña rum, Panay rum, basi, tuba, mallorca, or any other beverages liable to produce intoxication.
- (u) **Residential Rent** shall mean any amount paid for the use or occupancy of a residential unit, regardless of the mode and terms of payment.
- (v) **Residential unit** shall refer to bed spaces, rooms, dormitories, apartments, houses, buildings, and/or land on which another's dwelling is located used principally for residential or dwelling purposes.
- (w) **Commercial Rent** shall mean any amount paid for the use or occupancy of a commercial space, regardless of the mode and terms of payment, of MSMEs.
- (x) **Commercial space** shall refer to land, offices, buildings, centers, shops, facilities and any other property used principally for commercial purposes, which denote any activity for which profit is the main aim or revenue is received.

ARTICLE II GUIDELINES

SECTION 4. The following guidelines, rules and regulations shall be observed and implemented whenever Cagayan de Oro City is declared under community quarantine, enhanced community quarantine and/or lockdown, as the case maybe, in relation to a proclamation of state of public health emergency, epidemic or pandemic, to wit:

- (a) Classes shall be suspended in all levels of public and private schools;
- (b) Shopping malls and stores, recreational establishments and amusement places shall be closed, EXCEPT for grocery stores, pharmacies, gasoline stations and other establishments selling essential goods and services as maybe identified by the City Mayor;
- (c) Checkpoints or border controls shall be established in strategic entry and exit points of the City.
- (d) The opening of the city's public markets and terminals shall be regulated.
- (e) Social distancing shall be required in establishments allowed to operate during the quarantine.
- (f) Social distancing of passengers or a "one-seat apart" rule shall be imposed in public transportation pursuant to Ordinance No. 13850-2020;
- (g) The wearing of face mask shall be required in all public places pursuant to Ordinance No. 13849-2020;
- (h) Liquor ban shall be imposed;
- (i) Grant discounts on the payment stall rentals and other fees in all public markets and terminals, or suspend the imposition thereof from the start of the quarantine until fifteen (15) days after the lifting thereof.

PROHIBITIONS AND REGULATIONS

ARTICLE III DISHONESTY OR UNTRUTHFUL DECLARATION



SECTION 5. PROHIBITION – It shall be unlawful for any person required to fill-up or accomplish information sheet, data form, declaration or any similar document by any medical clinic, hospital, health center or any health facility, workplace or school, whether public or private, including government quarantine stations to declare wrongly or erroneously, or fail to state the truth and disclose all relevant information as may be required in the said form or document or as may be asked by the health personnel such as but not limited to nurse, physician or their assistants.

**ARTICLE IV
SHELTER-IN; LOITERING**

SECTION 6. MANDATORY SHELTER-IN-PLACE. - It shall be mandatory and obligatory to all persons to observe Shelter-in-Place in their respective houses, residences, hotels, apartments, and condominiums to avoid and to slow down the spread of infectious or contagious diseases around the community and the city during a state of health emergency due to outbreak or pandemic of infectious or contagious diseases as declared by health authorities or the World Health Organization (WHO).

SECTION 7. PROHIBITION; LOITERING. - No person shall loiter or prowl on any public street, public alley or public sidewalk, parks, playground, bridge or in any public place, at restriction time set by authorities during public health emergency, outbreak, epidemic or pandemic.

SECTION 8. EXEMPTIONS. – The following shall be exempted from the provisions of this Ordinance:

- a) Essential persons; *Provided*, That they can show current and valid Identification Card as proof that they are indeed essential persons.
- b) Persons who are going and/or acting as an errand out of their home in order to buy essential goods in the markets, groceries, convenience stores, pharmacies and or drugstores, food outlets, gasoline stations, automotive parts stores or hardware stores.
- c) Persons who act as courier and transporter in the delivery of goods and foods.

**ARTICLE V
FACE MASK WEARING**

SECTION 9. REQUIREMENT. – It shall be unlawful for any person not to wear face mask when entering the territorial jurisdiction of Cagayan de Oro City and public places in the City.

**ARTICLE VI
ALCOHOL DRINKING IN PUBLIC PLACES**

SECTION 10. - It shall be unlawful for any person to drink alcoholic liquor and other intoxicating beverages at public plazas, parks, roads, sidewalks and alleys of the City and its barangays.

**ARTICLE VII
SOCIAL DISTANCING**

SECTION 11. (A) SOCIAL DISTANCING MEASURES IN PUBLIC OR PRIVATE VEHICLES. - During public health emergency, epidemic or pandemic and when there is a declaration of community quarantine, all drivers and operators of the Road Transport Sector as well as private vehicle owners are hereby mandated to observe a passenger limit through a “one-seat apart” policy, to wit:

- a. Taxis/Transportation Network Vehicle Services (TNVS) including accredited airport taxis: not more than four (4) passengers including the driver.



- b. UV Express: not more than six (6) passengers including the driver.
 - c. Old units of Public Utility Jeepneys (PUJs): not more than one-half (½) of their regular capacity including the driver.
 - d. Omnibus Franchising Guidelines (OFG) compliant units (Class 2 and 3): not more than one-half (½) of the seating capacity, one seat apart without any standing passenger.
 - e. Public Utility Buses (PUBs): not more than twenty-five (25) passengers including driver and conductor, one seat apart and without any standing passenger.
 - f. Motorela: not more than five (5) passengers including the driver.
 - g. Motorcycle: one (1) passenger only; *Provided*, That such passenger is the spouse or child of the driver or relative of the driver within the second degree of consanguinity or affinity.
 - h. Private cars or vehicles: not more than four (4) passengers, including the driver.
- (B) SOCIAL DISTANCING MEASURES IN PUBLIC OR PRIVATE ESTABLISHMENTS OR INSTITUTIONS - Whenever possible, public or private establishments or institutions shall institute a system to keep a distance of at least 3-6 feet away from other people to reduce the possibility of person-to-person transmission. This distance shall be observed even as to apparently healthy persons without symptoms.

SECTION 12. EDUCATION AND REFERRAL. - All operators shall inform and educate their drivers and conductors to be observant of their passengers during travel. Should any of their passengers manifest any symptom of an infectious or contagious disease, they shall assist said person to the nearest hospital and to report the incident to the Department of Health-Region 10 (DOH-10) or City Health Office (CHO) or to the Cagayan de Oro City Police Office (COCPO).

SECTION 13. REGULAR DISINFECTION. - All drivers of public transport vehicles shall conduct proper sanitation of their units and at the same time disinfect the interior and exterior parts thereof each time they completed their respective route.

SECTION 14. COMPULSORY WEARING OF FACE MASK. - All drivers and conductors shall wear at all times appropriate face masks, wash their hands with soap and wipe any part of their body with alcohol or disinfectant.

ARTICLE VIII HOARDING

SECTION 15. COVERAGE – To ensure that adequate supply will be available to all residents of Cagayan de Oro City, a consumer shall only buy basic necessities and prime commodities for a limited quantity as maybe recommended by the Department of Trade and Industry (DTI), the Price Coordinating Council and/or other government agencies.

Buyers who are either retailers, restaurants, food establishment, hotels or motels shall present a copy of their respective business permits before they can avail of higher quantity limits.

However, this regulation shall not apply to purchases made by authorities of local government units as authorized by the municipal mayor or the barangay chair or heads of hospitals provided that the purchase is made for public use and in response to the preparation or prevention of the disease.

SECTION 16. POWERS & RESPONSIBILITIES OF THE CITY MAYOR –



- (a) Institute temporary measures to ensure orderly and equitable distribution or sale to consumers of public necessities and prime commodities by business establishments in the City of Cagayan de Oro;
- (b) Establish temporary measures to avoid hoarding by Cagayan de Oro City business establishments and persons of the basic necessities and prime commodities;
- (c) Add items on the list of basic necessities and prime commodities.

SECTION 17. PROHIBITED ACTS. –

- (a) It shall be unlawful for any person to hoard basic necessities and prime commodities as maybe listed by the Department of Trade and Industry (DTI), the Price Coordinating Council and other government agencies.
- (b) Without prejudice to the provisions of existing laws on goods, it shall be unlawful for any person habitually engaged in the production, manufacture, importation, storage, transport, distribution, sale or other methods of disposition of goods to engage in hoarding, profiteering or price manipulation of any basic necessity or prime commodity.

SECTION 18. DUTY OF ESTABLISHMENTS – It shall be the duty of establishments selling the basic necessities and prime commodities to:

- (a) post the list thereof and the limitations of the purchase at a conspicuous place in the store;
- (b) Strictly implement the daily purchasing limit as prescribed under this Ordinance.

**ARTICLE IX
CURFEW**

SECTION 19. PROHIBITION – It shall be unlawful for any person to roam or loiter outside their homes from nine o'clock post meridian (9:00 PM), and before five o'clock ante meridian (5:00 AM) during the community quarantine period.

The City Mayor is hereby authorized to change the curfew hours through an Executive Order as he may deem fit.

SECTION 20. EXEMPTIONS. The following shall not be covered by this Article:

- a. Essential persons;
- b. Persons running lawful errands such as buying medicines, using telecommunications facilities or calling relatives for emergency purposes;
- c. Persons who by virtue of their employment are required to stay outside their residences after 9:00 PM; *Provided, however,* That proper documentation from the barangay must be secured and presented to prove necessity for curfew exemption.

SECTION 21. AUTHORIZED TO ARREST. Aside from the members of the Philippine National Police (PNP) or those authorized by law to effect an arrest, the Barangay Officials or Barangay Tanods, are hereby authorized to apprehend violators of this Article.



ARTICLE X
ANTI-DISCRIMINATION

SECTION 22. UNLAWFUL ACTS. –

- (a) It shall be unlawful for any person to commit any act or make utterances which cause or tend to cause stigma, disgrace, shame, humiliation, harassment or otherwise discriminating against a person infected, under investigation or monitoring due to COVID-19 or any infectious or contagious disease, health worker or frontliner as defined under this Ordinance.
- (b) If any public officer refuses or fails to give assistance to a person infected, under investigation or monitoring due to COVID-19 or any infectious or contagious disease, health worker or frontliner who intends to return to his place of residence or domicile, after obtaining clearance of the infection from the proper health officials, he/she shall be equally liable under this section.
- (c) Any person who shall publicly claim, post on social media, spread or announce that a person is infected, is under investigation or monitoring due to COVID-19 or any infectious or contagious disease, whether or not the same has been confirmed or validated from the list given by authorized proper health officials, agency or department, shall also be liable under this section. If the person violating is a public officer, the penalty imposed shall be in its maximum and can also be a ground for filing of an administrative case against said official except when the patient concerned waived his/her right to privacy and for purposes of contact tracing and other medical purposes.

ARTICLE XI
REPORTING OF COVID-19/INFECTIOUS DISEASE CASES

SECTION 23. MANDATORY REPORTING - To strengthen the implementation of R.A. 11332 (*Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act*), all public and private physicians, allied medical personnel, professional societies, hospitals, clinics, health facilities, laboratories, institutions, workplaces, schools, prisons, ports, airports, establishments, communities, other government agencies, and NGOs shall accurately and immediately report COVID-19 or emerging other infectious disease cases to the City Health Office.

SECTION 24. DUTIES OF HOSPITALS - It shall be the duty of all government and private hospitals to disclose to the public the personal information of patients who tested positive for COVID-19 or other emerging other infectious diseases to strengthen the government's contact tracing efforts.

SECTION 25. PROHIBITED ACTS - The following shall be prohibited under this Ordinance:

- (a) Tampering of records or intentionally providing misinformation regarding COVID-19 or other similar emerging other infectious disease cases;
- (b) Non-operation of the disease surveillance and response systems;
- (c) Non-cooperation of persons and entities that should report and/or respond to COVID-19 or other similar emerging other infectious disease cases; or
- (d) Non-cooperation of the person or entities identified as having the COVID-19 or other similar emerging other infectious disease.

ARTICLE XII
FALSE INFORMATION DISSEMINATION



SECTION 26. Prohibition - It shall be unlawful for any person to create, perpetrate, spread or disseminate false information or fake news either through social media, mass media, and other forms of communication, which have no valid or beneficial effect on the population, and are clearly meant to promote or cause undue alarm, panic, fear, confusion or hysteria among Cagayan de Oro City residents.

ARTICLE XIII

AUTHORITY TO ENTER INTO AGREEMENT

SECTION 27. AUTHORITY - The Honorable City Mayor is hereby authorized to enter into and sign the appropriate Memorandum of Agreements (MOAs) with national government agencies, other local government units (LGUs) and/or the private sector, covering collaboration of the parties in the implementation of programs, projects and activities intended to curtail and eliminate the threat of COVID-19 or other infectious and contagious disease in the City of Cagayan de Oro and its neighboring areas in the Northern Mindanao region.

ARTICLE XIV

ASSISTANCE TO TENANTS

SECTION 28. SCOPE - The provisions hereof shall cover (1) residential rents, and (2) commercial rents of MSMEs, as defined by RA 6977, as amended, that have ceased operations due to the community quarantine.

(A) *Concession on Residential Rents* - A minimum of thirty (30)-days grace period shall be granted on residential rents falling due within the period of the community quarantine, without incurring interests, penalties, fees, and other charges.

A.1 Where cumulative amount of rents falling due within the community quarantine, shall be equally amortized in the six (6) months following the end of the community quarantine, and shall be added to the rents due on those succeeding months, without interest, penalties, fees and charges.

(B) *Concession on Commercial Rents for MSMEs* - A minimum of thirty (30)-day grace period shall be granted on commercial rents falling due upon MSMEs that have temporarily ceased operations within the period of the community quarantine, without incurring interests, penalties, fees, and other charges.

B.1 Where cumulative amount of rents falling due within the community quarantine, shall be equally amortized in the six (6) months following the end of the community quarantine, and shall be added to the rents due on those succeeding months, without interest, penalties, fees and charges.

(C) *Determination of the 30-day grace period* - The minimum thirty (30)-day grace period is determined to be the 30 calendar days following the last due date of the rent which fell due within the community quarantine.

(D) *No Refund of Rents Already Paid*. Lessors are not obligated to refund residential and commercial rents paid by the lessees during the period of the quarantine. Notwithstanding this provision, the lessor shall grant a minimum of 30-day grace period from the next due date of the residential/commercial rents without incurring interest, penalties, fees, and charges.

(E) *Other Concessions* - Notwithstanding the above, the lessors of residential rents or commercial rents for MSMEs who wish to extend greater generosity may:



- E.1 Totally or partially waive the residential or commercial rents that are falling due during the community quarantine.
- E.2 Grant reprieve or discounted amount of residential or commercial rents due after the community quarantine.
- E.3 Open for renegotiation the Lease Term Agreements with the lessees.
- E.4 Use other recourse to mitigate the impact of the community quarantine.

SECTION 29. NON-ENFORCEMENT OF EVICTIONS - During the community quarantine, no owner shall evict a residential/commercial tenant for nonpayment of rent if the tenant is unable to pay rent because of circumstances related to the COVID-19 or other contagious or infectious disease, such as:

- a) Loss of income due to workplace closure or reduced hours;
- b) Loss of income or increased child care expenditures due to school closures;
- c) Health care expenditures related to being ill with contagious or infectious disease or caring for a household member who is ill with contagious or infectious disease.
- d) Loss of income relating to reasonable expenditures stemming from government ordered emergency measures.

SECTION 30. MARKET STALL RENTS - The imposition of the stall rental fees in all public markets and terminals of Cagayan de Oro City, and the entrance fees for fish, fruits, vegetables and others goods at Carmen Public Market and Cogon Pubic Market only, shall be suspended effective upon the imposition of the community quarantine until after fifteen (15) days from the lifting thereof.

ARTICLE XV
PENALTIES

SECTION 31. PENALTY. - Any person found violating any provision of this Ordinance shall be subjected to the following penalties:

- (A) For violations of Articles III, IV, V, VII and IX, the offender shall render community service to be administered by the City Public Services Office (CPSO) or the Punong Barangay of the barangay where the violation was committed, in accordance hereof, to wit:
 - a) 1st Offense: two (2) hours of community;
 - b) 2nd Offense: four (4) hours of community service;
 - c) 3rd and Subsequent Offenses: eight (8) hours of community service;

In case the offender is a minor, the pertinent penal and related provisions of Ordinance No. 13195-2017, otherwise known as the Parental Responsibility Code of Cagayan de Oro City; Ordinance No. 13394-2018, otherwise known as the Cagayan de Oro City Comprehensive Children’s Welfare Code of 2018; and other laws and legal issuances affecting minors, shall apply.

In case the violator is a juridical person, the penalty of suspension of the business permit or closure of the establishment for not less than six (6) months but not more than one (1) year shall be imposed.

- (B) Any violation of the provisions under Articles VIII, X, XI, XII and XIV of this Ordinance shall penalized in accordance with the provisions under Section 6 of RA 11469.
- (C) For violation of Article VI, the penalty shall be imprisonment of not less than one (1) month and ten (10) days but not more than four (4) months or a fine of not less than Five Hundred



**cagayan
de Oro**
city of golden friendship

Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035
www.cdeo-sanggunian.online



PAGE II OF II OF ORDINANCE No. 13855-2020

CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

Attested:

OSCAR S. MORENO
CITY MAYOR

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR