



Republic of the Philippines  
Province of Davao del Norte  
Municipality of Braulio E. Dujali  
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BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE SEVENTEENTH (17<sup>TH</sup>) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BRAULIO E. DUJALI (TERM 2019-2022) AND HELD AT THE SANGGUNIANG BAYAN SESSION HALL, MUNICIPAL BUILDING ON JUNE 22, 2020, MONDAY.

**PRESENT:**

HON. RESTIE E. TABIRAO	- Sangguniang Bayan Member/ Temporary Presiding Officer
HON. ATTY. YASMIN V. CAMPION, REA, REB	- Sangguniang Bayan Member
HON. ANNA C. CAGULADA	- Sangguniang Bayan Member
HON. RICKY T. DELCO	- Sangguniang Bayan Member
HON. NELSON C. BAER, RA	- Sangguniang Bayan Member
HON. CARME LEOGY C. AGUILUZ	- ABC Pres./Ex-Officio Member
HON. FRANCISCO D. BUCADON	- IPMR/Ex-Officio Member
HON. KEVIN P. GENTUGAYA	- SKF Pres./Ex-Officio Member

**ON OFFICIAL BUSINESS:**

HON. DONNA MAE BALDONADO-BERNADAS, Ed.D.	- Municipal Vice Mayor
HON. SAMUEL F. PACRES	- Sangguniang Bayan Member

**ABSENT:**

HON. CONCORDIO B. MOMO, JR. (On Leave)	- Sangguniang Bayan Member
HON. ADHEM F. FUNA (On Leave)	- Sangguniang Bayan Member

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*Author: Atty. Yasmin G. Valle-Campion*

*Co-Authors: Hon. Ricky T. Delco, Hon. Nelson C. Baer, Hon. Carme Leogy C. Aguiluz*

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**MUNICIPAL ORDINANCE NO. 2020-217**

REQUIRING THE MANDATORY WEARING OF FACE MASKS BY ALL PERSONS IN PUBLIC PLACES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BRAULIO E. DUJALI, DAVAO DEL NORTE DURING THE PERIOD OF COVID-19 PANDEMIC

WHEREAS, Article II, Section 15 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, Proclamation No. 922 S. 2020 declaring a State of Public Health Emergency throughout the Philippines due to Corona Virus Disease 2019 (Covid-19), enjoining all government agencies and Local Government Units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the threat of Covid-19;

WHEREAS, the Department of Interior and Local Government (DILG) urges the Local Government Units (LGUs) to pass an ordinance requiring the constituents to wear face masks in public as a precautionary measure to combat the spread of Covid-19;

WHEREAS, requiring the residents to wear face masks in public can help in ensuring that people are not passing the virus around since the deadly virus can be transmitted through droplets from coughs, sneezes and from talking;

WHEREFORE, be it ordained, as it is hereby ordained by the Sanggunian Bayan of Braulio E. Dujali, Davao del Norte, in session duly assembled, that:

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

SECTION 2. Coverage. All person within the territorial jurisdiction of the Municipality of Braulio E. Dujali, Davao del Norte are covered by this Ordinance.

SECTION 3. Definition of Terms. For the purposes of this Ordinance, the following terms are hereby defined:

- a. Face Masks – any reusable or disposable item made of cloth or any breathable material worn over the nose, mouth and chin which can serve as a protection or barrier against possible infection from COVID-19. These shall include surgical masks, cloth masks, handkerchiefs, washable masks, N95 masks, among others.
- b. Public Places - means 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 schools, workplaces, government facilities, establishments that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also include 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 ground or centers, church grounds, health/hospital compounds, transportation terminal, markets, parks, resorts, walkways/sideways, entrance ways, waiting areas and the like.
- c. Covid-19 – refers to the Corona Virus Disease 2019 which is caused by the virus known as the Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)

SECTION 4. Mandatory Use of Face Mask – All persons are required to wear face mask while in public places within the territorial jurisdiction of the Municipality of Braulio E. Dujali, Davao del Norte, this requirement shall be followed during the entire period of the COVID-19 pandemic in the country.

SECTION 5. Posting of Signage/Notice. All offices, workplaces, commercial establishments, schools, churches, transportation terminals, transportation vehicles and all other places accessible to the public are required to put the Signage/Notice “MASK IS A MUST” or “WEAR YOUR MASK” in a particular location that can easily and immediately be seen by all persons entering their places.

SECTION 6. Penalties. Any person who fails to wear a face mask shall be meted out the following penalties:

First (1<sup>st</sup>) Offense. The offender shall attend community service or awareness campaigns on COVID-19 for at least two (2) hours to be facilitated by the Municipal Health Office and Philippine National Police.

Second (2<sup>nd</sup>) Offense. The offender shall be fined in the amount of Five Hundred Pesos (P500.00).

Third (3<sup>rd</sup>) and Succeeding Offenses. The offender shall be fined in the amount of One Thousand Pesos (P1,000.00).

Failure to comply the said penalties, the offender shall not be permitted to secure Barangay or Police Clearance and shall not be allowed to receive any Covid-19 related benefits.

For offenders who are not residents of this Municipality who will refuse to comply the said penalties shall be reported to their place of residence for proper action based on this ordinance.

SECTION 7. Citation Ticket. The apprehending officer shall issue a citation ticket to the offender for any violation of this ordinance to be prepared by the Municipal Treasurer's Office.

COVID-19 CITATION TICKET	
To: _____	
Address: _____	
<b>VIOLATION</b>	
Municipal Ordinance on Mandatory Wearing of Face Mask	
	Fine
1st Offense _____	_____
2 <sup>nd</sup> Offense _____	_____
3 <sup>rd</sup> Offense _____	_____
_____	_____
Violator	Enforcer

SECTION 8. Information and Educational Campaign. The Municipal Information Office and Municipal Health Office in coordination with the Barangay Officials are hereby directed to cause the widest dissemination of this ordinance

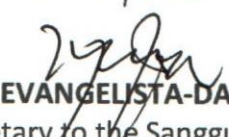
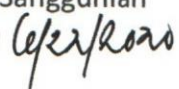
SECTION 9. Enforcement. The Philippine National Police is hereby mandated to enforce the full extent of this Ordinance, as well as Barangay Officials and other force multipliers.

SECTION 10. Separability Clause. If any section or part of this Ordinance is held invalid or unconstitutional, the other sections of provisions not otherwise affected shall remain in full force or effect.


SECTION 11. Repealing Clause. All other ordinances, orders, issuance, rules and regulations which are inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 12. Effectivity. This ordinance shall take effect immediately upon its approval.

I HEREBY CERTIFY to the correctness of the foregoing municipal ordinance.

  
**JULIET EVANGELISTA-DAANTON**  
Secretary to the Sanggunian  
(MGDH I) 

Attested to be duly adopted:

  
**RESTIE E. TABIRAO**  
Sangguniang Bayan Member/  
Temporary Presiding Officer

Approved:

  
**ATTY. LEAH MARIE MORAL-ROMANO**  
Municipal Mayor

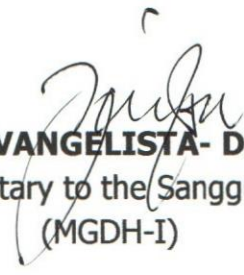
Date: \_\_\_\_\_

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**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

**CERTIFICATION**

This is to certify that the Sangguniang Bayan has conducted a Public hearing on Municipal Ordinance No. 2020-217; **REQUIRING THE MANDATORY WEARING OF FACE MASKS BY ALL PERSONS IN PUBLIC PLACES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BRAULIO E. DUJALI, DAVAO DEL NORTE DURING THE PERIOD OF COVID-19 PANDEMIC** held at Lobby, 2<sup>nd</sup> Floor, Municipal Building, Braulio E. Dujali, Davao del Norte on **June 05, 2020.**

  
**JULIET EVANGELISTA- DAANTON**  
Secretary to the Sanggunian  
(MGDH-I)

