



Republic of the Philippines  
Province of Quezon  
**MUNICIPALITY OF POLILLO**  
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**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPTS FROM THE MINUTES OF THE 35<sup>TH</sup> REGULAR SESSION OF  
THE SANGGUNIANG BAYAN OF POLILLO, QUEZON HELD AT THE  
EVACUATION CENTER OF POLILLO, QUEZON ON MARCH 16, 2020  
AT 9:00 A.M.**

**PRESENT:**

Honorable Rufino Rene Q. Marquita,	Municipal Vice-Mayor & Presiding Officer,
Honorable Rudy S. Pumarada,	Municipal Councilor,
Honorable Albert R. Agunias,	Municipal Councilor,
Honorable Cipriano A. Susa, Jr.,	Municipal Councilor,
Honorable Joel V. Asis,	Municipal Councilor,
Honorable Judy Rev V. Verzosa,	Municipal Councilor,
Honorable Bella A. Correces,	Municipal Councilor,
Honorable Claro A. Marasigan,	Municipal Councilor,
Honorable Hubert Bismarck A. Espiritu,	Municipal Councilor,
Honorable Ronald R. Madrinan,	President-PPLB/ExOfficio,
Honorable Ian Kristoffer R. Del Moro,	President-PPSK/Ex-Officio.

**ABSENT:**

None.

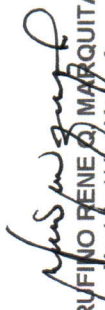
**RESOLUTION NO. 040-2020**

**A RESOLUTION ENACTING AN ORDINANCE MANDATING THE IMPLEMENTATION OF PUBLIC SAFETY HOURS OR CURFEW HOURS FROM 7:00 O'CLOCK IN THE EVENING TO 5:00 O'CLOCK IN THE MORNING IN THE MUNICIPALITY OF POLILLO, QUEZON, FOLLOWING THE DECLARATION OF PUBLIC HEALTH EMERGENCY COUNTRY**

**WHEREAS**, Section 6, Article III of the 1987 Constitution states that the liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law;

**WHEREAS**, Section 16 of the Local Government Code mandates every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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, among other things the promotion of health and safety;

  
ENGR. CRISOSTINA E. BOSQUE  
Municipal Mayor

  
RUFINO RENE Q. MARQUITA  
Municipal Vice Mayor &  
Presiding Officer

  
MEDICINE C. ASIS  
Secretary to the Sangguniang Bayan I



**WHEREAS**, on March 8, 2020, President Rodrigo Roa Duterte through Proclamation No. 922 declared a State of Public Health Emergency throughout the Philippines;

**WHEREAS**, the Department of Health already placed the entire country on Code Red, Sub Level 2 due to the rapid increase of COVID-19 confirmed cases and the confirmation of local transmission;

**WHEREAS**, Executive Order No. 14 s, 2020 issued by Honorable Mayor Cristina E. Bosque directs the Sangguniang Bayan to enact and ordinance relative to the implementation of Public Safety Hours;

**WHEREAS**, in the interest of public order and safety, it is imperative to regulate the movement of person especially during night time to prevent the spread and possible transmission of the COVID-19;

**WHEREAS**, in view of the foregoing, the municipal government deems it necessary to strictly implement the Public Safety Hours or Curfew Hours in the Municipality of Polillo and prescribe the proper and applicable procedures in the implementation of this ordinance;

**NOW, THEREFORE**, on unanimous motion, be it:

**RESOLVED**, as it is hereby resolved, to enact an Ordinance mandating the Implementation of Public Safety Hours or Curfew Hours from 7:00 o'clock in the Evening to 5:00 o'clock in the Morning in the Municipality of Polillo, Quezon, following the declaration of Public Health Emergency in the Country;

#### MUNICIPAL ORDINANCE NO. 137-2020

**A RESOLUTION ENACTING AN ORDINANCE MANDATING THE IMPLEMENTATION OF PUBLIC SAFETY HOURS OR CURFEW HOURS FROM 7:00 O'CLOCK IN THE EVENING TO 5:00 O'CLOCK IN THE MORNING IN THE MUNICIPALITY OF POLILLO, QUEZON, FOLLOWING THE DECLARATION OF PUBLIC HEALTH EMERGENCY COUNTRY**


*Be it ordained by this Honorable Sangguniang Bayan in its regular session assembled that;*


**Section 1. Title** - This Ordinance shall be known as the "Public Safety Hours or Curfew Hours in the Municipality of Polillo."

**Section 2. Definition of Terms** - As used in this Ordinance, the following words and phrases shall mean:

- a. **Barangay Council for the Protection of Children (BCPC)** - refers to barangay council in charge of counseling the children and their parents or guardian and responsible for coordinating with the proper government institution or agency for the general welfare of the children found in violation of this Ordinance.

  
ENGR. CRISTINA E. BOSQUE  
Municipal Mayor

  
RUFINO RENE C. MARQUITA  
Municipal Vice Mayor &  
Presiding Officer

  
MEDICINE C. ASIS  
Secretary to the Sangguniang Bayan I




- b. **Curfew Hours for minors Polillians and non-Polillians** – means hours prohibiting children to remain or stay in public places without legal or justifiable reason from 7:00 o'clock in the Evening to 5:00 o'clock in the Morning of the following day; daily.
- c. **Curfew Hours for all Polillians and Non-Polillians** – means hours prohibiting all residence and non-residence including children to remain or stay in public places without legal or justifiable reason from 7:00 o'clock in the Evening to 5:00 o'clock in the Morning of the following day;
- d. **Intervention** - refers to a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counseling, skills training, education, and other activities that will enhance the child's psychological, emotional and psycho-social well-being.
- e. **Law Enforcement Officer** - refers to person in authority or his/her agent as defined in Article 152 of the Revised Penal Code, including the barangay tanod.
- f. **Person** - refers to a person residing and not residing in Polillo including local tourist.
- g. **Public Places** - refer to places where the general public, or a substantial group of people, have access including but not limited to, streets, highways, sidewalks, alleys, parking lots, vacant lots, parks and the common areas in the vicinity of churches, apartment buildings, office buildings, hospitals, schools, shops, and other similar places or establishments;
- h. **Residence** – means the house or home where the child and his/parents or guardian actually reside
- i. **Non-Resident** – means a person is someone who is visiting a particular place but who does not live or stay there permanently.
- j. **Status Offenses** – any conduct not considered an offense or not penalized if committed by an adult shall not be considered an offense and shall be punished if committed by a child.

### Section 3. Prohibited Acts.

- a. During the public safety hours, all persons are prohibited to roam around, loiter, wander, stay or meander in all public places, whether single or in groups.
- a. Polillians and non-Polillians below eighteen (18) years of age hereby prohibited to loiter, wander, stroll, play or to remain or stay in public places within the territorial jurisdiction of the Municipality without legal or justifiable reason from 7:00 o'clock in the Evening to 5:00 o'clock in the Morning of the following day, daily, save those failing under herein exceptions.

  
ENGR. CRISTINE E. BOSQUE  
Municipal Mayor

  
RUFINO RENE A. MARQUITA  
Municipal Vice Mayor &  
Presiding Officer

  
MEDICINE C. ASIS  
Secretary to the Sangguniang Bayan I



b. All of Polillians and non-Polillians 18 years of age and above are hereby prohibited to loiter, wander, stroll, drink or to remain or stay in public places within the territorial jurisdiction of the Municipality without legal or justifiable reason from 7:00 o'clock in the Evening to 5:00 o'clock in the Morning of the following day, daily.

b. It is unlawful for any parent or guardian of a minor child to knowingly permit or by insufficient control allow the child to remain in any public place within the Municipality of Polillo during the public safety hours or curfew hours.

**Section 4. No Penalty Imposed on Children** - No penalty shall be imposed on children for violation of public safety hours or curfew hours ordinance and they shall instead be brought to their residence or to any barangay official at the barangay hall to be released to the custody of their parents. The child shall also be recorded as a 'child at risk'. However, the child shall be required to attend intervention programs, such as counselling, attendance in group activities for children, and for the parents, attendance in parenting education seminars.

**Section 5. Procedures for taking the Child into Custody** - Republic Act No. 9344 otherwise known as the Juvenile Justice and Welfare Act of 2006 as amended by Republic Act No. 10630, prescribes proper procedures to be observed by the law enforcement officer in taking the child into custody.

**Section 6. Obligations and Liabilities of Parent/s or Guardian/s** - The parents or guardians who are in actual custody or living together with the child are under obligation to supervise the conduct and activities of the child and see to it that the latter is already in their home before and during the public safety hours or curfew hours.

**Section 7. If Parents, Guardians or nearest Relatives cannot be located, or refuse to take custody of the Child** - If the parents, guardians or nearest relatives cannot be located, or if they refuse to take custody, the child may be released to any of the following:

- a. Barangay official or a member of the Barangay Council for the Protection of Children (BCPC);
- b. Municipal Social Welfare and Development officer; or, when and where appropriate, the national DSWD.

**Section 8. Penalties.**

1. The following penalties shall be imposed upon the parent or guardian of the child/children found to be in violation of this Ordinance:
  - a. **First Offense** - The parent or guardian shall be imposed a penalty of community service of eight (8) hours or a fine of one thousand pesos (P 1,000.00) or imprisonment of one (1) month, or both such fine.
  - b. **Second Offense** - Both the children and the parent or guardian shall be required to attend counselling sessions, parenting education seminars and other interventions as may be prescribed and

ENGR. CRISTINA E. BOSQUE  
Municipal Mayor

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conducted by the Barangay Council for the Protection of Children (BCPC). The parent or guardian shall render a community service of sixteen (16) hours or pay a fine of Two Thousand Pesos (P 2,000.00).

c. **Third Offense or More** - The parent or guardian shall pay a fine of Two Thousand Five Thousand Pesos (P2, 500.00) or imprisonment of one(1) month or both such fine and imprisonment at the discretion of the court. Moreover, the child shall be turned over to the Municipal Social Welfare and Development (CSWD) for other interventions that may be conducted pursuant to the provisions of RA 9344 as amended.

2. The following penalties shall be imposed upon Polillians and non-Polillians found to be in violation of this Ordinance:

a. **First Offense** - The parent or guardian shall be imposed a penalty of community service of eight (8) hours or a fine of one thousand pesos (P 1,000.00) or imprisonment of one (1) month, or both such fine.

b. **Second Offense** - Both the children and the parent or guardian shall be required to attend counselling sessions, parenting education seminars and other interventions as may be prescribed and conducted by the Barangay Council for the Protection of Children (BCPC). The parent or guardian shall render a community service of sixteen (16) hours or pay a fine of Two Thousand Pesos (P 2,000.00).

c. **Third Offense or More** - The parent or guardian shall pay a fine of Two Thousand Five Thousand Pesos (P2, 500.00) or imprisonment of one(1) month or both such fine and imprisonment at the discretion of the court. Moreover, the child shall be turned over to the Municipal Social Welfare and Development (CSWD) for other interventions that may be conducted pursuant to the provisions of RA 9344 as amended.

**Section 9. Exceptions** - The following acts or occasions shall be exempted from the implementation of this Ordinance:

a. Those in immediate need of medical attention or emergency medicines and health workers and personnel in the actual performance of their duties are not covered by the ban.

b. Government officials and employees performing essential or emergency official functions and those attending and experiencing emergency situations that require immediate action to prevent serious bodily injury or loss of life.

**Section 10. Non-Resident Offender** - If the child is a non-resident of the barangay, the law enforcement officer shall exert all efforts to get in touch with his parent or guardian. If they could not be reached nor contacted, the members of the barangay tanod on duty shall send home the child to ensure his safety or turn over him to the Municipal Social Welfare Department within reasonable time in the morning for proper disposition pursuant to existing laws.

ENGR. CRISTINA E. BOSQUE  
Municipal Mayor

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**Section 11. Concerned Citizen Participation** - Any person who has personal knowledge of the presence of a child in public places during curfew hours, may call the attention of the parent or guardian of the child or report the same to the barangay or police station for appropriate action.

**Section 12. Installation of Alarms or Sirens In All Barangay** - All barangays are hereby enjoined to install or use in their respective territorial jurisdictions sufficient number of functional and loud alarms or sirens before the start of curfew hours.

**Section 13. Separability Clause** - If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

**Section 14. Effectivity** - This ordinance shall take effect upon approval and after three (3) consecutive weeks from the date a copy of which is posted in a bulletin board at the entrance of the municipal hall, and in at least three (3) conspicuous places in this municipality.

**APPROVED UNANIMOUSLY.**  
March 16, 2020

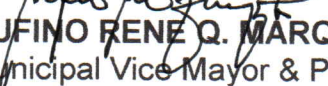
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*Pursuant to Section 54 and 469 of the Local Government Code of 1991, I hereby certify that **Resolution No. 040-2020** was adopted by the Sangguniang Bayan on the date mentioned above.*


*med.*  
**MEDICINE C. ASIS**

Secretary to the Sangguniang Bayan I

**ATTESTED AND CERTIFIED TO  
HAVE BEEN DULY ADOPTED:**

  
**RUFINO RENE Q. MARQUITA**  
Municipal Vice Mayor & Presiding Officer

**APPROVED:**

  
**ENGR. CRISTINA E. BOSQUE**  
Municipal Mayor