



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD NG MARIKINA

ORDINANCE NO. 098
Series of 2020

ORDINANCE ALLOWING RESTAURANTS AND OTHER FOOD ESTABLISHMENTS TO OPERATE THEIR DINE-IN SERVICES UP TO TEN O'CLOCK (10:00) IN THE EVENING AND THEIR TAKE-OUT OR DELIVERY SERVICE FOR TWENTY FOUR (24) HOURS DURING THE GENERAL COMMUNITY QUARANTINE

Introduced by:

Councilor SERAFIN Y. BERNARDINO
Councilor ROMMEL S. ACUÑA
Councilor CLOYD S. CASIMIRO
Vice-Mayor MARION S. ANDRES, M.D.

Co-sponsored by:

Councilor CARL ELI F. AFRICA
Councilor PAUL B DAYAO
Councilor LEVY DL. DE GUZMAN
Councilor ROMINA KATE N. DE GUZMAN
Councilor DONN CARLO B. FAVIS
Councilor SAMUEL S. FERRIOL
Councilor RENATO B. MAGTUBO
Councilor ANGELITO R. NUÑEZ
Councilor JOEL V. RELLEVE
Councilor RUBEN R. REYES
Councilor THADDEUS ANTONIO M. SANTOS, JR.
Councilor MANUEL E. SARMIENTO
Councilor LORETO F. TOLENTINO
Councilor ZIFFRED C. ANCHETA
Councilor JONAS MERVIN D. REYES

WHEREAS, pursuant to the General Welfare Clause as provided for in Section 16 of Republic Act No. 7160 otherwise known as the Local Government Code of 1991, the City Government of Marikina, among others, enacts ordinances to promote the general welfare of the people, to protect the environment, and to preserve peace and order;

WHEREAS, Coronavirus Disease 2019 (COVID-19) pandemic continuously poses a downside risk to local economy especially to industrial, commercial or business establishments;

WHEREAS, on June 22, 2020, the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Diseases issued guidelines thru Resolution No. 48 allowing restaurants, cafes, and bars in accommodation establishments and clubhouses to operate at 30% capacity for areas under General Community Quarantine (GCQ) which was later modified and expanded in July 2020 to up to fifty percent (50%);

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the CITY COUNCIL OF MARIKINA, in session duly assembled, that:

SECTION 1. Authority to Operate. - Restaurants, cafes, fast food chains, eateries, and other similar food establishments are hereby allowed to operate up to ten o'clock (10:00) in the evening, while Take Out or Delivery Service are hereby allowed to operate twenty four (24) hours provided however that dine-in services operate at thirty (30%) to fifty (50%) seating capacity and provided further that their venue capacity allow for physical distancing of at least one (1) meter radius per dine-in guest.

SECTION 2. Adherence to safety and health protocols. - These establishments shall at all times adhere with the aforesaid current limits on operational capacity, as well as all safety and health protocols such as the conduct of thermal scanning, implementation of the wearing of face masks, social distancing requirements, hand washing areas, sanitation practices, as well as regular health declaration log for workers and guests/customers, among others.

SECTION 3. Administration and Enforcement. - The Business Permits and Licensing Office, Office of Public Safety and Security, City Health Office and the Philippine National Police Marikina are hereby tasked to implement the provisions of this Ordinance.

SECTION 4. Penalty. - Any person found to have violated this Ordinance shall be issued an Ordinance Violation Receipt (OVR) and be penalized with the following:

First Offense – Warning and Order to Comply with the Public Health Instruction within 24 Hours;

Second Offense or upon failure to comply with the Order to Comply- Closure for three (3) days plus fine of **Three Thousand Pesos** (Php 3,000.00);

Third and Succeeding Offense - Closure for One Month plus **Five Thousand Pesos** (Php 5,000.00);

Violators shall be given 72 hours from citation to pay the fine or, when applicable, render community service. Non-compliance with payment of fine or community service shall be imposed with the additional penalty of imprisonment of not less than 10 days, without prejudice to the filing of other legal action under RA 11332 or any other applicable penal laws against the president, general manager or officer in charge of the establishment.

SECTION 5. Separability Clause. - If any provision of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, those parts which are not affected thereby shall continue to be in full force and effect.

SECTION 6. Repealing Clause. - Any ordinance or sections thereof, resolution, order, or issuance of local application which are not in conformity with this Ordinance are hereby amended, superseded, modified, or repealed accordingly.

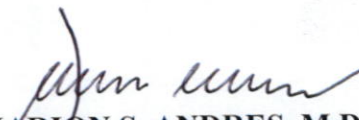
SECTION 7. Effectivity. - This Ordinance shall take effect immediately upon its approval and shall remain in effect for the duration of the General Community Quarantine.

UNANIMOUSLY ENACTED by the **SANGGUNIANG PANLUNGSOD NG MARIKINA** this 26th day of August, 2020. ✓

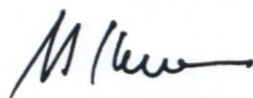
I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was duly enacted by the *Sangguniang Panlungsod* during its 33rd Regular held via video conferencing on August 26, 2020.


NORALYN R. TINGCUNGO
City Council Secretary

ATTESTED:


MARION S. ANDRES, M.D.
City Vice Mayor/Presiding Officer

APPROVED by the HON. CITY MAYOR on **AUG 26 2020**


MARCELINO R. TEODORO
City Mayor