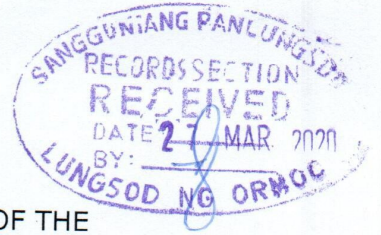


3/24/20  
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REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE MULTI-PURPOSE HALL  
ORMOC CITY HALL BUILDING  
ON MARCH 24, 2020

PRESENT:

- |                              |   |
|------------------------------|---|
| Leo Carmelo L. Locsin, Jr.   | City Vice Mayor & Presiding Officer   |
| Roiland H. Villasencio,      | SP Member, 1 <sup>st</sup> Asst. Majority Floor Leader  |
| Tomas R. Serafica,           | SP Member, Presiding Officer "Pro-Tempore"  |
| Nolito M. Quilang,           | SP Member, 2 <sup>nd</sup> Asst. Majority Floor Leader  |
| Eusebio Gerardo S. Penserga, | SP Member   |
| Jasper M. Lucero,            | SP Member   |
| Peter M. Rodriguez,          | SP Member   |
| Vincent L. Rama,             | SP Member   |
| Gregorio G. Yrastorza III,   | SP Member   |
| Lalaine A. Marcos,           | SP Member   |
| Esteban V. Laurente,         | Ex-Officio SP Member, Chapter President,<br>Liga ng mga Barangay ng Ormoc                                 |
| Joan Marbie C. Simbajon,     | Ex-Officio SP Member, Chapter President,<br>Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc |

ON LEAVE:

- |                         |                                  |
|-------------------------|----------------------------------|
| Benjamin S. Pongos, Jr. | SP Member, Majority Floor Leader |
|-------------------------|----------------------------------|

**EXPLANATORY NOTE**

Under Section 5, Article II of the 1987 Philippine Constitution, it mandates that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. This is pursued under Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 which provides that every 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety.

Pursuant to Section 11, Article XIII of the 1987 Philippine Constitution, the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women, and children. The State shall endeavor to provide free medical care to paupers.

Disaster and other emergencies are inevitable. For the Philippines that experienced an average of 20 typhoons each year, occurrences of earthquakes, dengue outbreak and similar others, the general welfare clauses among the local government units become relevant so that appropriate responses can be done locally. This is an experience that requires effective local responses re-enforced by national government policies. Most recent development is the COVID 19 outbreak that has challenged not only the Philippines but the whole world and which has awakened all local government units to be in the frontline for innovative strategies to manage their areas and protect their constituents.

Weeks after the infection became pandemic, the Philippine Department of Health reported the first case of COVID – 19 in the country on January 30, 2020 with a 38 year old female Chinese national and that the first local transmission of COVID – 19 was confirmed. As of March 17, 2020 at 4:00 PM, the Department of Health's Laboratory Status of Patients in the Philippines revealed that there are 187 confirmed cases, 655 cases tested negative, and 184 cases pending test results. In Ormoc City, although there are no confirmed cases to date, the City Health Department reported that there are 11 Persons Under Investigation (PUI) and 739 Persons Under Monitoring.

Considering the current developments and pursuant to Republic Act (RA) No. 11332 or the "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act" which recognizes that epidemics and other public health emergencies are "threats to public health and national security, which can undermine the social, economic, and political functions of the State", the President of the Philippines, President Rodrigo Roa Duterte issued Proclamation No. 922 on March 8, 2020 and declared a state of Public Health Emergency following confirmation from the Secretary of Health of cases of local transmission of the Corona Virus Disease (COVID – 19) in the country.

However, despite initiatives and interventions from the national and local government, the number of confirmed cases of COVID – 19 increases. Hence, the National Disaster Risk Reduction and Management Council recommended the declaration of a State of Calamity throughout the entire country pursuant to Republic Act No. 10121, or the "Philippine Disaster Risk Reduction and Management Act of 2010. On the 16<sup>th</sup> of March 2020, President Rodrigo Roa Duterte issued Proclamation No. 929, "DECLARING A STATE OF CALAMITY THROUGHOUT THE PHILIPPINES DUE TO CORONA VIRUS DISEASE 2019".

In order to prevent and contain the presence of COVID – 19 cases in the city, the Local Government Unit of Ormoc has taken critical, urgent, and appropriate response and measures that Ormocanons must observe for the safety and well-being of all. As of to-date, the City Mayor has issued seven (7) executive orders and the Sangguniang Panlungsod has passed ordinance on curfew hours and a resolution urging business owners and operators to prevent cartel, profiteering, hoarding and panic buying among others.

Amid the infection scare of coronavirus and the preventive measures imposed by Local Government Units such as preventive localized lockdowns or enhanced community quarantines, consumers started to flock to groceries as panic grows in various communities. In the news, Trade Secretary Ramon Lopez appealed to the public against panic buying since it could lead to an artificial shortage. It was also reported in online news portals that many Filipinos are seen making bulk purchases of alcohol, toilet papers, face masks and other supplies from grocery stores and supermarkets amid the infection scare and following preventive lock downs of certain cities and towns.

Pursuant to Section 2 of Republic Act No. 7581 (The Price Act), as amended, it is the policy of the State to ensure the availability of basic necessities and prime commodities at reasonable prices at all times without denying legitimate business a fair return on investment. It is also a declared policy of the State to provide effective and sufficient protection to consumers against hoarding, profiteering and cartels with respect to supply, distribution, marketing and pricing of said goods, especially during periods of calamity, emergency, widespread illegal price manipulation and other similar situations. Price freeze on basic necessities at their present levels for sixty (60) days are in effect nationwide pursuant to the declaration of Public Health Emergency (Proclamation No. 922) until sooner lifted by the President.

In a statement, Presidential spokesperson Salvador Panelo appealed to the public to "buy only what they need" following reports of hoarding necessities in groceries. "This would only result in undue hoarding and price increases. Our officials from the Department of Trade and Industry (DTI) gave assurances that we have ample stock of essential items," Panelo said (INQUIRER). However, the Department of Trade and Industry (DTI) has issued warnings that there is no need to panic-buy and asked grocery and supermarket owners to limit the quantity of items they are selling in light of the panic buying caused by the COVID-19 scare.

The problem of hoarding and panic buying came out as a major concern each time the city is facing an aftermath of a calamity. This is the reason why the administration of Mayor Richard Gomez pushes for measures to prevent people from taking advantage of the difficult situation. The passage of this ordinance therefore become necessary as a major response of the City Government of Ormoc during emergency situations.

NOW, THEREFORE, on MASS MOTION of the Body; be it  
RESOLVED, to enact:

**ORDINANCE NO. 020  
(Series of 2020)**

**AN ORDINANCE PROVIDING PROTECTION TO  
CONSUMERS AND PRESCRIBING MEASURES TO  
ENSURE AVAILABILITY OF BASIC NECESSITIES AND  
PRIME COMMODITIES DURING DECLARED  
EMERGENCY SITUATIONS, CRISIS, CALAMITIES AND  
LIKE OCCASIONS IN THE CITY OF ORMOC.**

BE IT ORDAINED by the 15<sup>th</sup> Sangguniang Panlungsod, that:

**SECTION 1. TITLE.** – This Ordinance shall be referred to as the "Anti-Hoarding and Anti-Panic Buying Ordinance of Ormoc City."

**SECTION 2. DECLARATION OF POLICY.** – It is hereby declared as a policy of Ormoc City Government to protect the needs of all residents in Ormoc City especially the underprivileged, sick, elderly, disabled, women and children by ensuring that food, basic goods, supplies, personal protection equipment, medicines, and other similar goods would be available to all during times of crisis, calamity or emergency by restricting the excessive purchase or hoarding which in effect limits the number of goods purchased by an individual or a collective group of individuals per day.

**SECTION 3. DEFINITION OF TERMS.** – For purposes of this Ordinance, the term:

- a. BASIC NECESSITIES – are goods vital to the needs of consumers for their sustenance and existence in times of any of the cases provided under Section 6 or 7 of the Price Act, such as, but not limited to, rice, corn, root crops, bread; fresh, dried or canned fish and other marine products; fresh pork, beef and poultry meat; fresh eggs; potable water in bottles and containers; fresh and processed milk; fresh vegetables and fruits; locally manufactured instant noodles; coffee; sugar; cooking oil; salt; laundry soap and detergents; firewood; charcoal; household liquefied petroleum gas (LPG) and kerosene; candles; drugs classified as essential by the Department of Health and such other goods as may be included under Section 4 of the Price Act; unless otherwise excluded;

- b. 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;
- c. PERSON – means a natural person or juridical person;
- d. PREVAILING PRICE – means the average price at which any basic necessity has been sold in a given time within a month from the occurrence of any of the conditions enumerated under Section 3 of this Ordinance;
- e. PRICE CEILING OR REASONABLE PRICE – means the maximum price at which any basic necessity or prime commodity may be sold to the general public as prescribed by the Department of Trade and Industry (DTI) and other appropriate government agency; and
- f. PRIME COMMODITIES – are goods not considered as basic necessities but are essential to consumers in times of any of the cases provided under Section 7 of the Price Act such as, but not limited to, flour; dried, processed or canned pork, beef and poultry meat; dairy products not falling under basic necessities; onions, garlic, vinegar, patis, soy sauce; toilet soap; fertilizer, pesticides and herbicides; poultry, livestock and fishery feeds and veterinary products; paper; school supplies; nipa shingles; sawali; cement; clinker; GI sheets; hollow blocks; plywood; plyboard; construction nails; batteries; electrical supplies; light bulbs; steel wire; all drugs not classified as essential drugs by the Department of Health and such other goods as may be included under Section 4 of the Price Act.

**SECTION 4. COVERAGE AND APPLICATION**– This ordinance shall apply to the entire City of Ormoc and under any of the following circumstances:

- a. When the City is proclaimed or declared a disaster area or under a state of calamity or under any kind of emergency by the City Mayor, Sangguniang Panlungsod, or by the President of the Republic of the Philippines;
- b. When the privilege of the writ of habeas corpus is suspended in the City;
- c. When the City is placed under martial law;
- d. When the City is declared to be in a state of rebellion.

**SECTION 5. GENERAL GUIDELINES** – The City Government of Ormoc directs all covered establishments to post in at least four (4) conspicuous place the following list of the items and limitations regulated by this ordinance during the period of implementation.

Subject to relevant law, rules and regulations, it is encouraged that only persons 15 years old and above shall be allowed to visit the covered establishment and subject to reasonable changes as may be duly determined by the implementing offices, there shall be limitations of items to be sold per person per day.

**SECTION 6. LIMIT FOR NATURAL PERSONS** – Business establishments shall limit the purchases of individual consumers (natural persons only) on basic and prime commodities as listed below.

KIND OF GOODS	LIMIT OF PURCHASES
Canned sardines	5 cans per type, per brand 3 cans per type, per brand (big size)
Other canned goods (meat loaf, corned beef, tuna, etc.)	3 cans of each kind
Powdered milk	1 kilogram
Powdered milk (sachets)	2 bundles per brand
Milk Formula	1 box or can
Canned regular milk	5 cans per type, per brand ( small) 2 cans per type, per brand (other than small)
Coffee Refill	1 pack-200 grams and above Maximum of 4 packs-below 200 grams
Coffee (3 in 1)	2 bundles per brand
Loaf Bread	4 packs any kind, any brand (half loaf) 2 packs any kind, any brand (whole loaf)
Instant Noodles	5 pcs per type, per brand
Eggs	2 dozens
Cooking oil	2 liters
Sugar	2 kilograms
Rice	Maximum of 15 kilograms
Disinfectant alcohol or 70% solution antiseptic	Maximum of 2 bottles – regardless of size
Hand sanitizers	2 pcs regardless of size
Toilet papers	10 pcs (if sold per roll) 1 pack (if sold as a pack)
Kitchen towels	3 rolls
Bath soaps	5 bars( if individually sold) 1 pack (if sold as a pack)
Liquid Hand Soap	2 bottles – 500 ml 3 bottles – below 500 ml
Disinfecting Liquids (Clorox, Lysol, Domex and the like)	2 pcs regardless of size
Face masks	5 pcs surgical- any type or brand 5 pcs industrial- any type or brand
Multivitamins/Vitamin C	1 box (100 pcs) 1 bottle

**SECTION 7. LIMIT FOR JURIDICAL PERSONS AND RETAILERS** – Business establishments shall make available to consumers with business permits, such as registered retailers, sari-sari store consumers, restaurants, hotels and other companies and corporations large packaging noted below, provided that purchasers availing this section shall present a copy of their valid mayor's and or business permit.

KIND OF GOODS	LIMIT OF PURCHASES
Canned sardines	24 cans
Other canned goods (meat loaf, corned beef, tuna, etc.)	12 cans of each kind
Powdered milk	Maximum of 5 kilograms
Powdered milk (sachet)	5 ties (regardless of the kind)
Milk Formula	Maximum of 5 boxes or cans
Coffee Refill	Maximum of 10 packs - 200 grams and above Maximum of 15 packs - below 200 grams
Coffee (3 in 1)	10 ties
Bread	10 packs
Instant Noodles	48 pouches
Eggs	5 dozen
Cooking oil	Maximum of 5 liters
Sugar	Maximum of 10 kilograms
Rice	150 kilograms (3 cavans)
Alcohol	15 bottles (300 ml) 10 bottles (500 ml) 5 bottles - more than 500 ml
Hand sanitizers	10 bottles (100 ml)
Toilet papers	Maximum of 48 rolls
Kitchen towels	Maximum of 10 rolls
Bath soaps	Maximum of 24 bars of different kind
Liquid hand soap	10 bottles (500 ml) 10 bottles (below 500 ml)
Disinfectant Solutions (Clorox, Lysol, Domex and the like)	3 gallons (regardless of the kind)
Face masks	100 pcs
Multivitamins/ Vitamin C	5 boxes (500 pcs) 5 bottles

**SECTION 8. - POSTING REQUIREMENTS BY BUSINESS ESTABLISHMENTS.** For purposes of meeting the intents of this ordinance thru appropriate consumer awareness, all establishments covered herein shall post the complete lists as found in Sections 6 and 7 herein and any changes in the list above pursuant to powers vested on the task force as provided in this ordinance. Said lists shall be made in a clear, visible and legible manner and shall be posted in conspicuous places in the establishment, including the areas where the payment of the goods take place. The posting requirement shall cover the entire period of the effectivity of this ordinance.

**SECTION 9. POWERS AND RESPONSIBILITIES OF THE CITY MAYOR -** The City Mayor or Acting City Mayor shall have the following additional powers and responsibilities to carry out the intents and purposes of this Ordinance:

- a. Institute temporary measures to ensure orderly and equitable distribution or sale to consumers of basic necessities and prime commodities by business establishments in Ormoc City;

Ord. No. 020. S. 2020


**SECTION 16. EFFECTIVITY** - This Ordinance shall take effect immediately upon approval due to the urgency of the concern caused by the COVID - 19 pandemic. Should the declared state of emergency or calamity be lifted, the regulations imposed in this ordinance shall accordingly be suspended.

ENACTED, March 24, 2020.

RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the City Treasurer; the LEIPO; the BPLO; the City Health Department; the DTI-Ormoc; the ORCHAM; the City Local Government Operations Officer-DILG; and other offices concerned;

CARRIED UNANIMOUSLY.

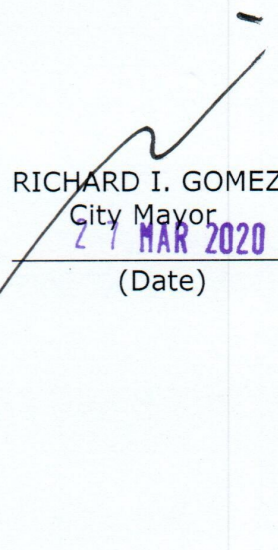
I HEREBY CERTIFY to the correctness of the above ordinance.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer

APPROVED:

  
RICHARD I. GOMEZ  
City Mayor  
27 MAR 2020  
(Date)


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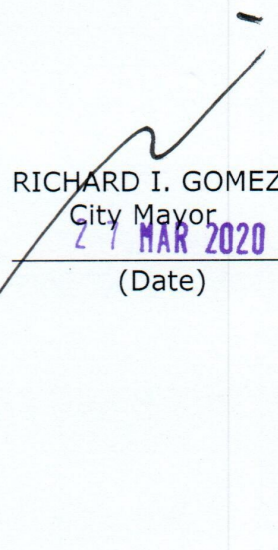
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City Mayor  
27 MAR 2020  
(Date)