



EXECUTIVE ORDER NO. 36

Series of 2021

"AN ORDER PROVIDING FOR THE OMNIBUS GUIDELINES ON THE IMPLEMENTATION OF NEW ALERT LEVEL SYSTEMS IMPOSED BY THE INTER-AGENCY TASK FORCE (IATF-MEID), PLACING THE CITY OF MANDAUE UNDER ALERT LEVEL NUMBER 2"

WHEREAS, the Coronavirus Disease 2019 (COVID-19), since having been declared as a Public Health Emergency of International Concern (PHEIC), has irreversibly affected millions of lives and families worldwide. Its unprecedented speed of transmission and infectivity has placed a huge burden on essential areas of governance, most importantly in vulnerable sectors such as the economy, education, and healthcare;

WHEREAS, Section 15 Article II of the 1987 Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, the National Government, through the IATF-MEID, and in coordination with Local Government Units has continued its guidance in the implementation of proactive measures and restrictions to slow down the surge in COVID-19 cases, stop further spread of variants, buy time for the health system to cope, and to protect more lives;

WHEREAS, the development of vaccines against COVID-19 is among the solutions that will greatly mitigate the increasing cases in the country, complemented by already existing health measures and protocols in place, thereby, it is only fitting to provide certain privileges to vaccinated individuals as enablers in the eventual return to new normal societal functioning and the re-opening of economies;

WHEREAS, IATF Resolution No. 136-A (s.2021) issued on 03 September 2021, provided for, among others, the shift in the policy of classifying Provinces, Highly Urbanized Cities (HUCs), and Independent Component Cities (ICCs) for purposes of community quarantine. In the new classification framework, which focuses on the imposition of granular lockdown measures, community quarantine shall be reduced to either ECQ or General Community Quarantine (GCQ) with the latter having an alert-level system (Alert Level 1 to 4) with each alert level limiting restrictions only to identified high-risk activities;

WHEREAS, the new Community Quarantine Classifications aims to manage and minimize the risk of the disease through System Indicators, Triggers and Thresholds determined by the IATF to specify the public health and social measures to be taken in relation to the COVID-19 response, as may be updated based on new scientific knowledge, information about the effectiveness of control measures in the country and overseas, and its application;



WHEREAS, to ensure a smooth transition to the Alert Level System, the pilot implementation is expanded to include non-NCR areas through IATF Resolution No. 144-D issued on 18 October 2021, whereby, the IATF recommended the inclusion of PHIs from the three regions that were identified as the highest economic drivers, with the local government unit of Mandaue City as one of those identified in Region 7;

WHEREAS, the Guidelines on the Implementation of Alert Levels System for COVID-19 Response in Pilot Areas issued on 13 October 2021 provided updated guidelines on the expansion of pilot implementation to non-NCR areas, including Mandaue City;

WHEREAS, seeing that Mandaue City has the lowest COVID-19 case rate count, which continue to decline, and the highest vaccination rate in Metro Cebu, the City finds that adapting to the new Alert Level Systems, as recommended by the IATF-MEID, is in consonance with the City's vision in slowly opening the economy and adjusting its policies towards the "new normal";

NOW THEREFORE, I, JONAS C. CORTES, Mayor of the City of Mandaue, and by virtue of the powers and authority vested in me by law, do hereby order and decree:

SECTION 1. IMPLEMENTATION OF NEW ALERT LEVEL SYSTEM –

The City of Mandaue shall adopt the Alert Level System provided by the IATF under Resolution No. 144-D and shall implement the guidelines under Alert Level 2 beginning October 20 until October 31 or until revoked or amended by a superseding Executive Order as may be necessary.

SECTION 2. GENERAL GUIDELINES UNDER ALERT LEVEL 2. – The following shall be adopted during the implementation of new Alert Level System (Alert Level 2), except for portions thereof under granular lockdown:

- a.) **Allowed movement** – The following persons shall NOT be allowed outside of their respective residences, provided that they be allowed access to obtain essential goods and services, or for work in permitted industries and offices:
 - a. Persons below fifteen (15);
 - b. Those who are over sixty-five years (65) of age;
 - c. Those with immunodeficiencies, comorbidities, or other health risks; and
 - d. Pregnant women.
- b.) **Intrazonal and Interzonal Travel** – Intrazonal and interzonal travel for persons not otherwise required to remain at their residences in the preceding paragraph may be allowed, subject to the reasonable regulations of the LGU of destination.
- c.) **Individual Outdoor Exercises** – Individual outdoor exercises shall also be allowed for all ages regardless of comorbidities or vaccination status. Provided that the minimum public health



standards and precautions such as the wearing of face masks, and the maintenance of social distancing protocols are observed.

- d.) **Curfew** – The curfew period shall start from 10:00 PM – 4:00 AM the next day. However, authorized persons outside residence (APOR), those working in BPO's and other essential industries such as food and food deliveries, health workers and government agencies providing frontline and emergency services are hereby exempt.

SECTION 3. DEFINITION OF TERMS. In addition to definitions found in existing regulations in relation to COVID-19, the following terms are defined for guidance:

1. **COVID-19 Alert Levels System** – refers to the new Community Quarantine Classifications for dealing with COVID-19 covering entire cities, municipalities and/or regions; aimed to manage and minimize the risk of the disease through System Indicators, Triggers and Thresholds determined by the IATF to specify the public health and social measures to be taken in relation to the COVID-19 response, as may be updated based on new scientific knowledge, information about the effectiveness of control measures in the country and overseas, and its application.
 - a. **Alert Level 1** – refers to areas wherein case transmission is low and decreasing, total bed utilization rate, and intensive care unit utilization rate is low.
 - b. **Alert Level 2** – refers to areas wherein case transmission is low and decreasing, healthcare utilization is low, or case counts are low but increasing, or case counts are low and decreasing but total bed utilization rate and intensive care unit utilization rate is increasing.
 - c. **Alert Level 3** – refers to areas wherein case counts are high and/or increasing, with total bed utilization rate and intensive care unit utilization rate at increasing utilization.
 - d. **Alert Level 4** – refers to areas wherein case counts are high and/or increasing, with total bed utilization rate and intensive care unit utilization rate at high utilization.
 - e. **Alert Level 5** – refers to areas wherein case counts are alarming, with total bed utilization rate and intensive care unit utilization rate at critical utilization.
2. **Granular Lockdown** – refers to a micro-level quarantine for areas identified as "critical zones" by the local government unit (LGU) which may be declared regardless of Alert Level.



3. **Minimum public health standards (MPHS)** – refers to the national, local, and sector-specific guidelines on mitigation measures for its COVID-19 response across all settings by implementing non-pharmaceutical interventions (NPIs), consistent with the Department of Health (DOH) Administrative Order No. 2021-0043 or the Omnibus Guidelines on the Minimum Public Health Standards for the Safe Reopening of Institutions. This term shall also encompass specific NPIs of community mitigation strategies or public health measures that do not involve vaccines, medications, or other pharmaceutical interventions, that individuals and communities can carry out in order to reduce transmission rates, contact rates, and the duration of infectiousness of individuals in the population.

SECTION 4. ESTABLISHMENTS AND ACTIVITIES ALLOWED TO OPERATE SUBJECT TO VENUE CAPACITY RESTRICTIONS. – The following establishments, or activities, shall be allowed to operate, or be undertaken at a *maximum of 50% indoor venue capacity for FULLY VACCINATED INDIVIDUALS ONLY and those below 18 years of age, even if unvaccinated, and 70% outdoor venue capacity.* Provided that ALL WORKERS/EMPLOYEES of these establishments are **FULLY VACCINATED** against COVID-19 and MPHS shall be strictly maintained.

- a.) Venues for meetings, incentives, conferences, and exhibitions (MICE);
- b.) Permitted venues for social events such as parties, wedding receptions, engagement parties, wedding anniversaries, debut and birthday parties, family reunions, and bridal or baby showers;
- c.) Visitor or tourist attractions such as libraries, archives, museums, galleries, exhibits, parks, plazas, public gardens, scenic viewpoints or overlooks, and the like;
- d.) Amusement parks or theme parks;
- e.) Recreational venues such as internet cafes, billiard halls, amusement arcades, bowling alleys, skating rinks, archery halls, swimming pools, and similar venues;
- f.) Cinemas and movie houses;
- g.) Limited face-to-face or in-person classes for basic education subject to prior approval of the Office of the President;
- h.) Limited face-to-face or in-person classes for higher education and for technical-vocational education and training;
- i.) In-person religious gatherings; gatherings for necrological services, wakes, inurnment, and funerals for those who died of causes other than COVID-19 and for the cremains of the COVID-19 deceased;
- j.) Licensure or entrance/qualifying examinations administered by their respective government agency, and specialty examinations authorized by the IATF subject to the health and safety guidelines as approved by the IATF;
- k.) Dine-in services of food preparation establishments such as kiosks, commissaries, restaurants, and eateries, subject to DTI sector-specific protocols;
- l.) Personal care establishments such as barbershops, hair spas, hair salons, and nail spas, and those offering aesthetic/cosmetic



services or procedures, make-up services, salons, spas, reflexology, and other similar procedures including home service options, subject to the sector-specific protocols of the DTI;

- m.) Fitness studios, gyms, and venues for individual non-contact exercise and sports, subject to DTI sector-specific protocols. Provided that patrons/clients and workers/employees wear face masks at all times and that no group activities are conducted;
- n.) Film, music, and television production subject to the joint guidelines as may be issued by the DTI, DOLE, and the DOH;
- o.) Contact sports approved by the LGU where such games shall be held; Funfairs/peryas or kid amusement industries such as playgrounds, playroom, and kiddie rides;
- p.) Venues with live voice or wind-instrument performers and audiences such as in karaoke bars, clubs, concert halls, and theaters; and
- q.) Gatherings in residences with individuals not belonging to the same household.

All other general public gatherings or activities not mentioned herein that will require crowding or large public gathering of persons must obtain a concurrence/approval from the Mandaue City Local Task Force-Emergency Operations Center (EOC).

SECTION 5. ESTABLISHMENTS AND ACTIVITIES NOT ALLOWED TO OPERATE. – Casinos, horse racing, cockfighting and operation of cockpits, lottery and betting shops, and other gaming establishments shall **NOT be allowed to operate, or be undertaken** in areas classified under Alert Level 2 *except* as may be authorized by the IATF or the Office of the President.

SECTION 6. OTHER ESTABLISHMENTS. – Except those located in areas covered by granular lockdowns, all other establishments or activities not otherwise specified above may be allowed to operate or be undertaken at 100% on-site or venue/seating capacity, provided they implement the minimum public health standards (MPHS).

SECTION 7. OPERATION OF ESTABLISHMENTS WITH SAFETY SEAL CERTIFICATION. – Establishments allowed to operate during Alert Level 2 may be permitted to operate at an additional ten percentage (10%) points beyond the prescribed venue/seating capacity if awarded with Safety Seal Certifications.

SECTION 8. LIFTING OF LIQUOR BAN. – The imposed Liquor Ban is hereby lifted, therefore, selling, serving, and consumption of liquor shall now be allowed subject to the following conditions:

- a. Only those business establishments with corresponding valid Business Permit, together with a License to Sell and/or License to Serve shall be allowed to sell/serve liquor. Said Permits must be placed in a conspicuous place in the business establishment;
- b. Allowed venue capacity must be followed;
- c. Serving liquor must not be allowed beyond curfew hours; and



- d. Drinking in PUBLIC PLACES (streets, sidewalk, open public places, and the like) and those establishments without corresponding permits shall be prohibited.

SECTION 9. VACCINATION PROGRAM. – As part of the City's vaccination program, business establishments and employers shall endeavour to have their employees be vaccinated as part of their occupational safety and health program compliance at their own expense or through the City of Mandaue Vaccination Operation, especially for establishments herein allowed to operate under Alert Level 2. As such, business establishments are encouraged to create incentive programs to clients and employees alike, which would increase vaccine confidence.

SECTION 10. AMENDMENT IN THE REQUIREMENT OF NEGATIVE COVID-19 TEST FOR PERSONS ENTERING MANDAUE CITY – All persons that can present official vaccine cards and/or official vaccine certificates showing that they have been fully vaccinated from an official vaccine site shall be **EXEMPT** from presenting a Negative RT-PCR Test or Antigen Test Result prior to their entry into Mandaue City.

To this effect, persons who are NOT FULLY VACCINATED, whether coming from high risk or low risk areas outside Cebu Island, shall be required to present proof of identity and/or proof of essential travel for those enumerated under Section 2(a) AND any of the following before entering the City of Mandaue through any of its ports and other points of entry:

- (a) Negative RT-PCR Test Result taken within the last 72 hours; or
- (b) Negative Antigen Test Result taken within the last 48 hours.

The Tests must be conducted and performed by accredited and licensed testing centers and laboratories by the Department of Health.

SECTION 11. ADOPTION OF THE IATF GUIDELINES AS TO THE IMPLEMENTATION OF GRANULAR LOCKDOWNS. – The City of Mandaue shall adopt the protocols as provided in the Guidelines on the Implementation of Alert Levels System for COVID-19 Response in Pilot Areas issued on 13 October 2021 and other related issuances by the IATF Guidelines on the Implementation of Community Quarantine and local Executive Orders as may be applicable.

SECTION 12. ACTS OF DISCRIMINATION ARE DENOUNCED. Acts of discrimination inflicted upon workers, whether confirmed or recovered, or undergoing treatment, as well as suspect and probable cases, and persons under monitoring, are denounced in the strongest terms. Acts in furtherance of discrimination, such as, but not limited to, coercion, libel, slander, physical injuries, and dishonour of contractual obligations such as contracts of lease or employment, shall be dealt with criminally, civilly, and/or administratively.

SECTION 13. ENFORCEMENT – The Philippine National Police (PNP) – Mandaue City Police Office (MCPO), City Enforcement Unit (MCEU), the Armed Forces of the Philippines (AFP), the Business Processing and Licensing Office (BPLO) of Mandaue City, Emergency Operations Center (EOC) and other



Mandaue City Regulatory Offices are hereby directed to implement the full extent of this Executive Order.

Further, all enforcement units together with barangay officials and other force multipliers are likewise mandated to implement the full extent of this Executive Order within their respective areas of jurisdiction, including regular roving, monitoring and visibility in public places, and the apprehension of violators and imposition of penalties under existing Ordinances.

SECTION 14. VIOLATIONS. Violation of any provision of this Order and other earlier Executive Orders issued in relation to the COVID-19 pandemic shall be subject to penalty pursuant to existing national law and local ordinances, without prejudice to the revocation of any special permit or business permits issued, and the closure of the business establishment.

SECTION 15. INCORPORATION CLAUSE. All laws, legal orders, rules and regulations that have been issued and/or will be issued by the duly constituted authorities of the Republic of the Philippines, particularly the Inter-Agency Task Force for the Management of Emerging Infectious Diseases, pertaining to public health and COVID-19 are hereby incorporated herein and made integral parts hereof.

SECTION 16. SEPARABILITY CLAUSE. If any part or provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected shall remain valid and subsisting.

SECTION 17. REPEALING CLAUSE. All issuances inconsistent herewith are hereby superseded accordingly.

SECTION 18. EFFECTIVITY. This Executive Order shall take effect immediately and shall remain in force unless otherwise superseded or modified by subsequent Executive Orders and other issuances.

Done this 20th day of October, 2021 at Mandaue City, Philippines.

JONAS C. CORTES
City Mayor