



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
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**EXCERPTS FROM THE MINUTES OF THE FIRST (1ST) REGULAR SESSION OF
THE SANGGUNIANG BAYAN HELD ON JANUARY 4, 2022 AT THE
SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY,
BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.**

Present : Vice Mayor Josephine H. Sumangil - Evangelista, Presiding Officer
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapiz
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Rodora P. Loares
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozylyn N. Manansala, SK Federation President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Cris Dayril B. Bagnes, (O.B.)




Visitor : Mr. Ronell B. Alcachupas, Municipal Accountant
Mr. Alexander L. Bejosano, Municipal Treasurer

ORDINANCE NO. 2022- 2240

AN ORDINANCE REQUIRING PROOF OF FULL VACCINATION WITH A COVID-19 VACCINE BEFORE A VACCINE-ELIGIBLE PERSON CAN ENTER CERTAIN INDOOR PUBLIC AND PRIVATE LOCATIONS, LARGE EVENTS AND GOVERNMENT AND NON-GOVERNMENT FACILITIES AND BUILDINGS WITHIN THE MUNICIPALITY OF LOS BAÑOS.

Author : 
Councilor Mark Lester B. Dizon

WHEREAS, the COVID-19 pandemic remains the most significant challenge in the country particularly in light of the emergence of new variants which may cause repeated surges of cases in the community. COVID-19 remains a major threat specially on the health and economy of every country and according to health experts, community transmission may remain significantly high specially in areas where vaccination coverage against COVID-19 is low;

WHEREAS, the World Health Organization and the Department of Health recommend widespread vaccination in order to combat the spread of COVID-19, protect those who cannot be vaccinated by reason of age and health condition, safeguard the capacity of the local health care system, and prevent unnecessary and premature deaths;

WHEREAS, despite availability of COVID-19 vaccines, many eligible individuals are not yet vaccinated citing reasons which include but not limited to the following; health conditions, religious belief, fear, vaccine brand preference, schedule problem and hesitancy or non-believer to vaccination;

WHEREAS, due to the continuous threat of community transmission of COVID-19, additional layers of protection in certain indoor settings where COVID-19 transmission is more likely to occur must be considered to avoid further negative impacts on the health and economy of the community;

WHEREAS, in light of the IATF recommendation to lower the alert level in some localities including the Municipality of Los Baños, requiring vaccination of all eligible individuals who frequent indoor establishments that allow groups of unassociated individuals to interact for long periods of time where customers or patrons remove their masks to eat or drink, engage in heavy physical exertion, or do not adequately physically distance, will provide the strongest protection to the health and safety of the residents of the municipality, including those who for reasons of age or health cannot be vaccinated;

WHEREAS, requiring vaccination or proof of a negative COVID-19 test for large outdoor events will address several factors that increase the risk of transmission at those events, including crowding, prolonged exposure, removal of masks for eating or drinking, and the increased likelihood contagious persons are present when a larger number of people are gathered;

WHEREAS, requiring vaccination for individuals who enter government and private buildings and/or offices will protect the health and safety of the municipality's workforce who themselves must be vaccinated and will protect the public health at large;

WHEREAS, the Municipal Government of Los Baños has an absolute interest in increasing vaccination rates which, in turn, will help curve the spread of COVID-19 and protect its constituents and visitors against a disease that threatens the health, safety, and well-being of everyone;


WHEREAS, the Municipal Government of Los Baños seeks to promote the health, safety, and welfare of its constituents, to protect its workers, and to encourage vaccination, by requiring proof of full vaccination with a COVID-19 vaccine to enter establishments or locations and events within the municipality that allow for higher-risk interaction, and government/private buildings or offices where workers put themselves at risk to provide services to the general public;



BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, THAT:

SECTION 1. DEFINITIONS OF TERMS. The following definitions shall apply to this ordinance.

- 1.1 ***Government Building or facility*** - means the Indoor Portion of any building, structure, or premises belonging to or under the control of the municipality or by provincial and national government agencies;
- 1.2 ***Covered Location or establishments*** - means any of the following locations or establishments within the municipality:
- 1.3 ***Establishments where food or beverages are served***, including, but not limited to restaurants, bars, fast food establishments, coffee shops, cafeterias, food courts, banquet halls, and hotel ballrooms. This shall also include establishments offering al fresco dine in;
- 1.4 ***Gyms and fitness venues***, including, but not limited to gyms, recreation facilities, fitness centers, yoga, pilates, cycling, barre, and dance studios, hotel gyms, boxing and kickboxing gyms, fitness boot camps, and other facilities used for conducting indoor group fitness classes;
- 1.5 ***Entertainment and recreation venues***, including, but not limited to movie theaters, music and concert venues, live performance venues, adult entertainment venues, commercial event and party venues, sports arenas, convention centers, exhibition halls, museums, malls, shopping centers, performing arts theaters, bowling alleys, arcades, family entertainment centers, play areas, pool and billiard halls, and other recreational game centers;
- 1.6 ***Personal care establishments***, including spas, nail salons, hair salons, barbershops, tanning salons, estheticians, skin care and cosmetology services, body art professionals, piercing shops, and massage therapy, except as medically required;
- 1.7 ***A Covered Location*** does not include any location that does not have an Indoor Portion. A Covered Location does not include covered courts not enclosed with walls;
- 1.8 ***COVID-19*** - means coronavirus disease 2019, the infectious disease caused by the SARS-CoV-2 virus that resulted in a global pandemic, including variants thereof;



- 1.9 **COVID-19 Vaccine** - means a vaccine authorized to prevent COVID-19 by the Philippine Food and Drug Administration (FDA), including by way of an emergency use authorization, or by the World Health Organization (WHO);
- 1.10 **Full Vaccination/Fully Vaccinated** - means 14 or more days after completing the entire recommended series of vaccination with a COVID-19 Vaccine. An individual is considered Fully Vaccinated at least two weeks after receiving a second dose of Sinovac or Sinopharm, or Astra Zeneca or Gamaleya/Sputnik V or Pfizer or Moderna COVID-19 Vaccine or two weeks after receiving the single dose of the Johnson & Johnson Janssen COVID-19 Vaccine;
- 1.11 **Individual Eligible for a COVID-19 Vaccine** - means a person for whom a COVID-19 Vaccine is authorized for use by the Philippine FDA, including by way of an emergency use authorization or, in the case of a foreign visitor or traveler, a person for whom a COVID-19 Vaccine is authorized by the WHO;
- 1.12 **Indoor Portion** - means any part of a Covered Location or Facility with a roof or overhang that is enclosed by at least three walls;

The following will not be considered an Indoor Portion:

- a. A structure on the sidewalk or roadway if it is entirely open on the side facing the sidewalk;
- b. An outdoor dining structure for individual parties, such as a parachute tents, tents with no walls; and
- c. Municipal and barangay covered courts not enclosed by walls and with adequate ventilation to allow for air circulation.
- 1.13 **An Outdoor Large Event or gathering** includes conventions, conferences, expos, concerts, shows, nightclubs, sporting events, live events and entertainment, fairs, festivals, parades, amusement parks, municipal parks, large private events or gatherings, marathons or endurance races, and car shows. Outdoor Large Events may have either assigned or unassigned seating, and may be either general admission or gated, ticketed, and permitted events;



- 1.14 **Patron** - means an Individual Eligible to Receive a COVID-19 Vaccine who enters, patronizes, attends an event, or purchases goods or services at a Covered Location or Outdoor Large Event;
- 1.15 **Proof of Negative COVID-19 Test** - means a printed document, email or text message displayed on a phone, from a test provider or laboratory that shows results of a polymerase chain reaction (PCR) or antigen COVID-19 test that either has Emergency Use Authorization (EUA) by the Philippine Food and Drug Administration, that was conducted within 72 hours before entry into a Covered Location or facility, or Outdoor Large Event. The printed document, email, or text message must include the person's name, type of test performed, date of the test, and negative test result.
- 1.16 **Proof of Vaccination** - means one of the following demonstrating proof of Full Vaccination:
 - a. A vaccination card issued by the Municipal Health Office of Los Banos or by other local government units and other DOH accredited vaccination sites;
 - b. Vaccination certificates issued by DOH and DICT, which includes the name of the person vaccinated, type of vaccine provided, and date last dose administered;
 - c. Similar documentation issued by another foreign governmental agency

SECTION 2. PROOF OF VACCINATION REQUIRED FOR A PATRON OR VISITORS TO ENTER INDOOR PORTION OF A COVERED LOCATION OR ESTABLISHMENT.

- 2.1 Starting January 3, 2022 all Covered Location or establishments shall display prominently on its premises, visible to Patrons or visitors prior to entrance, an advisory notice informing Patrons or visitors that, beginning on January 15, 2022, Proof of Vaccination is required to enter any Indoor Portion of a Covered Location or establishment.
- 2.2 Starting January 15, 2022, a Covered Location or establishments shall require each Patron or visitor to provide Proof of Vaccination upon entering an Indoor Portion of a Covered Location or establishment. A Covered Location shall require Proof of Vaccination upon the Patron's first in-person interaction with staff. A Covered Location is required to cross-check Proof of Vaccination

for each Patron or visitor who appears to be 12 years of age or older against Photo Identification. Subject to the exemptions below, a Patron or visitor shall not be permitted to enter an Indoor Portion of a Covered Location or establishment without Proof of Vaccination.

- 2.3 A Patron or visitor may be exempt from the requirements of this ordinance if they are entitled under any applicable law to a reasonable accommodation for a medical condition or restriction or a sincerely held religious belief, as follows:
 - a. To be eligible for an exemption due to a medical condition or restriction, the Patron must provide the Covered Location with a medical certificate stating that the Patron has a medical condition or restriction that qualifies the Patron for the exemption.
 - b. To be eligible for an exemption due to a sincerely held religious belief, the Patron must provide the Covered Location with a self-attestation that the Patron has a sincerely held religious belief that qualifies the Patron for the exemption.
- 2.4 If a Covered Location determines a Patron or visitor has met the requirements of an exemption pursuant to this ordinance because of a medical condition or restriction or sincerely held religious belief, the Covered Location shall require the Patron to use the portion of a Covered Location that is not an Indoor Portion. If such portion is not available, the Patron may be permitted to enter an Indoor Portion of a Covered location by providing Proof of Negative COVID-19 Test and Photo Identification.
- 2.5 A Patron who does not provide Proof of Vaccination and who does not qualify for an exemption may use the portion of a Covered Location that is not an Indoor Portion. A Patron who does not provide Proof of Vaccination may be allowed to enter an Indoor Portion of a Covered Location for brief and limited periods of time to use the restroom, order, pick-up, or pay for food or drink “to go or take-out,” provided that the Patron wears a well-fitting mask at all times while in the Indoor Portion of the Covered Location.
- 2.6 To the extent feasible, a Covered Location or establishment may offer service outside for a Patron who does not provide Proof of Vaccination, including pickup, drive thru delivery, and outdoor seating and dining.
- 2.7 A Covered Location must develop and keep a written record describing the protocol for implementing and enforcing the requirements of this ordinance.



SECTION 3. PROOF OF VACCINATION REQUIRED TO ENTER AN INDOOR PORTION OF A MUNICIPAL OR GOVERNMENT FACILITY.

- 3.1 Starting January 3, 2022, government buildings or facilities shall display prominently on its premises, visible to any persons upon entrance, an advisory notice that, beginning on January 15, 2022, Proof of Vaccination is required to enter any Indoor Portion of a government facility.
- 3.2 Starting January 15, 2022, an Individual Eligible for a COVID-19 Vaccine shall provide Proof of Vaccination upon entering an Indoor Portion of a government facility. The management or head of a government facility or office shall ensure that all patron or visitors who are eligible for vaccination are required to show Proof of Vaccination upon entering the indoor office or facility.
- 3.3 An Individual Eligible for a COVID-19 Vaccine who does not provide Proof of Vaccination will be provided alternative arrangements for access to government services, to be determined on a case-by-case basis by each department, including, but not limited to, online or remote service, service outdoors, or providing Proof of Negative COVID-19 Test prior to entering any Indoor Portion of a government facility.

SECTION 4. PROOF OF VACCINATION OR PROOF OF NEGATIVE COVID-19 TEST REQUIRED TO ATTEND OUTDOOR LARGE EVENT.

- 4.1 Starting January 15, 2022, organizers of an Outdoor Large Event that is ticketed or held in a defined space with controlled points of entry must verify Proof of Vaccination or Proof of Negative COVID-19 Test for each Patron, prior to entry to the event.
- 4.2 An Outdoor Large Event is required to cross-check Proof of Vaccination or Proof of Negative COVID-19 Test for each Patron who appears to be 12 years of age or older against Photo Identification.

SECTION 5. VACCINATION OF EMPLOYEES WORKING IN INDOOR ESTABLISHMENTS OR OFFICES AND THOSE WHO ARE IN FREQUENT CONTACTS WITH PATRONS, COSTUMERS OR VISITORS.

- 5.1 Starting January 15, 2022, head of establishments or offices shall ensure that workers or employees of the establishment or office are fully vaccinated;



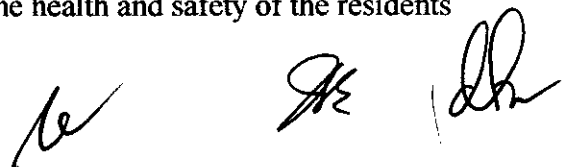
- 5.2 A Worker or employee may be exempted from the requirements of this ordinance if they are entitled under any applicable law to a reasonable accommodation for a medical condition or restriction or a sincerely held religious belief;
- 5.3 To be eligible for an exemption due to a medical condition or restriction, the employee or worker must submit to the management of the establishment or office an updated medical certificate stating that the employee or worker has a medical condition or restriction that qualifies the employee or worker for the exemption;
- 5.4 To be eligible for an exemption due to a sincerely held religious belief, the employee or worker must submit to the management of the establishment or office a self-attestation that the employee or worker has a sincerely held religious belief that qualifies the employee or worker for the exemption;
- 5.5 Employees or workers who are exempted from Covid-19 vaccination must be required by the management of establishment or office to regularly undergo RT-PCR test for Covid-19, and the cost of the test shall be shouldered by the exempted employee or worker;

SECTION 6. COMPLIANCE. An operator or head of a Covered Location, establishment, office or Outdoor Large Event may be issued a Citation for violation of any provision of this ordinance and shall be subject to the following fines:

- 6.1 A warning and a notice to correct for a first violation;
- 6.2 A fine of Php 1,500 for a second violation;
- 6.3 A fine of Php 2,000 for a third violation;
- 6.4 A fine of Php 2,500 for a fourth and each subsequent violation.

SECTION 7. IMPLEMENTING RULES AND REGULATIONS. The Los Baños Municipal Health Office shall promulgate as necessary the Implementing Rules and Regulations consistent with this ordinance for further clarification of the provisions of this ordinance.

SECTION 8. URGENCY CLAUSE. The Sangguniang Bayan of Los Baños finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: Establishing a vaccination requirement for patrons in certain higher-risk locations in the Municipality of Los Baños is a subject of imminent concern in light of the current and ongoing hazards of the COVID-19 pandemic, including the continuing threat of increased community transmission due to new COVID-19 variants, and the current data on the safety and efficacy of the COVID-19 vaccines. To promote the health and safety of the residents



and employees/ workers of the municipality of Los Baños, this ordinance must become effective as soon as possible. For all these reasons, the ordinance shall become effective upon its publication.

SECTION 9. LIFTING OF THE REQUIRMENT FOR PROOF OF VACCINATION. The mandate of this ordinance to require proof of vaccination upon entry to covered locations or government buildings and facilities can be lifted upon recommendation of Los Banos IATF for COVID-19 and upon concurrence by the Sangguniang Bayan of Los Banos, when the need for such restriction or health protocol is no longer necessary.

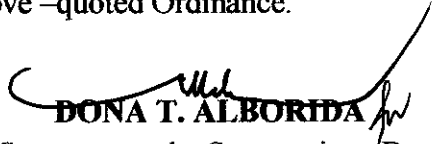
SECTION 10. SEPARABILITY. If any section, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance, including its application to other persons or circumstances.

SECTION 11. REPEALING/AMENDING CLAUSE. All other ordinances, resolutions, memoranda, orders and other issuances inconsistent with this Ordinance are hereby repealed or amended accordingly;


SECTION 12. EFFECTIVITY. This ordinance shall take force and effect upon approval of this Ordinance.

ENACTED : January 4, 2022


I HEREBY CERTIFY to the correctness of the above –quoted Ordinance.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. JOSEPHINE H. SUMANGIL - EVANGELISTA
Vice Mayor / Presiding Officer

APPROVED:


HON. ANTONIO L. KALAW
Municipal Mayor