Republic of the Philippines

QUEZON CITY COUNCIL

Quezon City

21st City Council

PO21CC-258

26th Regular Session

ORDINANCE NO. SP-2914, S-2020

AN ORDINANCE REGULATING THE SELLING OF BASIC NECESSITIES DURING CALAMITIES AND OTHER EMERGENCY SITUATION OCCURING WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY.

Introduced by Councilors MARRA C. SUNTAY, ALLAN BUTCH T. FRANCISCO, MIKEY F. BELMONTE, KATE GALANG-COSETENG, DOROTHY A. DELARMENTE, M.D., WENCEROM BENEDICT C. LAGUMBAY, EDEN DELILAH "Candy" A. MEDINA, and PATRICK MICHAEL VARGAS.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Estrella C. Valmocina, Franz S. Pumaren, Matias John T. Defensor, Peachy V. De Leon, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Shaira L. Liban, Ram V. Medalla, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente

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WHEREAS, Republic Act No. 7160, also known as the "Local Government Code of 1991", states 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, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;"

WHEREAS, as of March 12, 2020 the cases of COVID-19 in the Philippines raised to about 52 cases with 5 deaths and 6 of the recorded cases are from Quezon City".

WHEREAS, due to the aforementioned situation, the government has advised the people to practice good hygiene and wash their hands regularly to avoid the said disease;

WHEREAS, because the people are alarmed of the treat of the virus, some people buying more than they need in large quantities, resulting to deprivation of others over the same product such as alcohol, sanitizer, mask and other basic necessities and the like, which resulted to hoarding and panic buying;

WHEREAS, groceries, supermarkets, and other similar establishments should strictly monitor and limit the purchase of said goods, and allow the members of the team to conduct a spot inspection of receipts and monitor compliance therewith;

WHEREAS, there are also reported cases that some people buy items in bulk which they later sold through online market at a very high price;

WHEREAS, there is a need to regulate the selling of basic commodities within the city to avoid hoarding and panic buying during calamity and other emergency situation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE - This Ordinance shall be known as the "Quezon City Regulation of Selling of Basic Commodities During Calamity and Other Emergency Situation"

SECTION 2. DECLARATION OF POLICIES AND OBJECTIVES. - As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the State to adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events. It is further declared that the State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights.

SECTION 3. APPLICATION AND DURATION – The pertinent provision of this Ordinance shall only apply from start of the state of emergency, calamity or crisis that post danger to the life, security or property of the residents of Quezon City duly declared by the President of the Republic of the Philippines, or the City Mayor until the period of 60 days or revocation of such state, whichever is sooner.

SECTION 4. DEFINITION OF TERMS -

(1) Business Entity – shall mean any person, natural or juridical, lawfully registered in the Quezon City Government as regularly engaged in trade, service, or any other commercial activity as a means of livelihood or profit, but not in the exercise or practice of profession.

(2) Panic buying - or fear-based hoarding is the act of buying unusually large amounts of basic necessities and prime commodities in anticipation of, or after, a disaster or perceived disaster, or in anticipation of a large price increase or shortage grossly in excess of their normal requirement resulting in undue shortages of such goods to the prejudice of less privileged consumers

(3) Hoarding – which is the undue accumulation by a person or combination of persons of any basic necessity or prime commodity beyond his or their normal inventory levels or the unreasonable limitation or refusal to dispose of, sell or distribute the stocks of any basic necessity or prime commodity to the general public or the unjustified taking out of any basic necessity or prime commodity from the channels of production, trade, commerce, and industry. There shall be prima facie

evidence of hoarding when a person has stocks of any basic necessity or prime commodity fifty percent (50%) higher than his usual inventory and unreasonably limits, refuses or fails to sell the same to the general public at the time of discovery of the stocks. The determination of a person's usual inventory shall be reckoned from the third month immediately preceding before the discovery of the stocks in case the person has been engaged in the business for at least three (3) months; otherwise, it shall be reckoned from the time he started his business (Republic Act 7581);

(4) Basic necessities - are goods vital to the needs of consumers for their sustenance and existence in times of any of the cases, 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 this Ordinance;.

(5) Prime commodities - include fresh fruits; flour; dried processed and canned pork; beef and poultry meat; dairy products not falling under basic necessities; noodles; onions; garlic; vinegar; patis; soy sauce; toilet soap; fertilizer; pesticides; herbicides; poultry; swine and cattle feeds; veterinary products for poultry, swine and cattle; paper; school supplies; nipa shingles; sawali; cement; clinker; GI sheets; hollow blocks; plywood; plyboard; construction nails; batteries; electrical supplies; light bulbs; steel wire; and all drugs not classified as essential drugs by the Department of Health;.

SECTION 4. REGULATION

a. Limitation for Individual Consumer or Buyer per day – Subject to the provision of Section 3, the number of goods and supplies an individual consumer or buyer can purchase in a grocery store, supermarket, retailer, manufacturer, producer, or other similarly related commercial establishment per day shall be limited to the following:

KIND OF PRODUCTS	***LIMITATION FOR INDIVIDUAL CONSUMER OR BUYER PER DAY (Regardless of Brand)***
Canned sardines	*6 pieces*
Other canned goods (e.g. meat loaf, corned beef, tuna, etc.)	*3 pieces per kind*
Powdered milk	*1 Kilo*
Powdered milk (sachets)	*12 sachets*
Milk Formula	*1 Kilo*
Coffee refill	*1 package (if 200 grams and above); Up to 4 packages (if below 200 grams)*
Coffee (3 in1)	*12 sachets*
Bread	*2 packs*
Instant Noodles	*10 package*
Eggs	*1 dozen*
Cooking Oil	*2 liters*
Sugar	*1 kilo*
Rice	*10 kilos*
Alcohol	*2 bottles (if 300ml and below); 3 bottles (if 500ml and below); 1 bottle (if more than 500ml)*
Hand Sanitizers	*3 bottles (100 ml)*
Toilet Papers	*6 rolls*
Kitchen Towels	*4 rolls*
Bath Soap	*6 pieces*
Liquid Hand Soap	*2 bottles (if 500ml and above); 3 bottles (if lower than 500ml)*
Disinfectant Solutions (e.g. Bleach, Lysol, Domex, etc.)	*1 gallon*
Face masks	*10 pieces*
Multivitamins/ Vitamins C	*1 box (100 pieces); 1 bottle*
LPG	*1 tank*

b. Limitation of Registered Retailer, Owner of Sari-Sari Store, Carinderias or Other Similar Establishments. – The number of goods and supplies a registered retailer, sari-sari store owner, or other similar establishments can purchase in a grocery store, supermarket, retailer, manufacturer, producer, or other similarly related commercial establishment shall be limited to the following:

KIND OF PRODUCTS	**LIMITATION FOR RETAILER, SARI-SARI STORE OWNER, RESTAURANT, HOTEL, AND OTHER SIMILAR ESTABLISHMENTS (Regardless of Brand)**
Canned sardines	*24 pieces assorted brand*
Other canned goods (e.g. meat loaf, corned beef, tuna, etc.)	*12 pieces per kind*
Powdered milk	*5 kilos*
Powdered milk (sachets)	*5 bundles (of any kind)*
Milk Formula	*5 boxes or cans*
Coffee refill	*10 packages (if 200 grams and above);* *15 packages (if below 200 grams)*
Coffee (3 in1)	*10 bundles*
Bread	*10 packs*
Instant Noodles	*48 packages*
Eggs	*5 dozens*
Cooking Oil	*16 liters*
Sugar	*10 kilos*
Rice	*150 kilos (3 sacks);*
Alcohol	*15 bottles (if 300ml);* *10 bottles (if 500ml);* *5 bottles (if more than 500ml)*
Hand Sanitizers	*10 bottles (for 100ml)*
Toilet Papers	*48 rolls*
Kitchen Towels	*10 rolls*
Bath Soap	*24 bars*
Liquid Hand Soap	*15 bottles (if 500ml and above);* *10 bottles (if lower than 500ml)*
Disinfectant Solutions (e.g. Bleach, Lysol, Domex, etc.)	*3 gallons*
Face masks	*100 pieces*
Multivitamins/ Vitamins C	*5 boxes (500 pieces);* *5 bottles*
LPG (11kg)	*3 tanks*

Grocery store, supermarket, retailer, manufacturer, producer may require the Owner of Sari-Sari Store, Carinderias or Other Similar Establishments to show proof of business operation prior to purchase.

SECTION 5. MONITORING AND INSPECTION – The Business Permit and Licensing Department (BPLD) and the Market Development Administration Department (MDAD) are hereby mandated to implement this Ordinance.

The Punong Barangays are hereby mandated to assigned at least one (1) Focal Person for the inspection of Sari-sari stores within their respective territorial jurisdiction for monitoring and compliance with this Ordinance. They are likewise mandated to report to BPLD and/or MDAD any violation of this Ordinance.

SECTION 6. PENALTY CLAUSE –

For business entity –

1st Offense - A penalty of Three Thousand Pesos (Php3,000.00)

2nd Offense - A penalty of Three Thousand Pesos (Php3,000.00) and one (1) month suspension of business permit

3rd Offense - A penalty of Five Thousand Pesos (Php5,000.00) and cancellation of business permit

For consumer –

A penalty of Five Thousand Pesos (Php5,000.00) or imprisonment of One (1) day to One (1) year, or both, such fine and imprisonment at the discretion of the court,

The penalty provided herein shall be without any prejudice to other laws or ordinances violated in relation thereto.

SECTION 7. REPEALING CLAUSE. - All ordinances, resolutions, local executive orders, rules and regulations or any part thereof inconsistent herewith are deemed repealed, modified or amended accordingly.

SECTION 8. SEPARABILITY CLAUSE. - In case any provision of this Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 9. EFFECTIVITY CLAUSE. –This Ordinance shall take effect immediately upon its approval.

ENACTED: March 16, 2020.

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: APR 17 2020

MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 16, 2020 under Suspended Rules and was PASSED on Third/Final Reading on the same date.

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III