



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO.2021-207

AN ORDINANCE AMENDING CITY ORDINANCE NO. 2020-181, OTHERWISE KNOWN AS THE STAYSAFE.PH APPLICATION ORDINANCE

Sponsored by: Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, the City Government of Muntinlupa is mandated under the 1987 Philippine Constitution and the Local Government Code to protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 16 of the Local Government Code of 1991, provides that *"Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, 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, xxx promote health and safety, xxx support the development of appropriate and self-reliant scientific and technological capabilities, xxx among their residents... xxx."*

WHEREAS, on 09 December 2020, City Ordinance No. 2020-181, otherwise known as the *"StaySafe.PH Application Ordinance,"* was enacted pursuant to IATF-MEID Resolution No. 85 Series of 2020, dated 26 November 2020, approving the recommendations of the Sub-Technical Working Group on Information and Communications Technology Solutions on the mandatory adoption and use of StaySafe.PH as the government's digital contact tracing application of choice in all national government agencies and instrumentalities, and Local Government Units (LGUs);



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WHEREAS, the City Government of Muntinlupa created a Task Force tasked to undertake necessary measures for proper coordination and implementation of the Ordinance;

WHEREAS, the Muntinlupa StaySafe.PH Task Force undertook and conducted a series of Orientations and Trainings beginning 21 December 2020 for the proper installation and use of the StaySafe.PH Platform for all covered individuals and establishments;

WHEREAS, there is a need to amend the StaySafe.PH Ordinance to reflect the subsequent modifications, improvements, and updates of the StaySafe.PH system, and governing rules and regulations.

NOW THEREFORE, BE IT ENACTED, AS IT HEREBY ENACTED, by 9th Sangguniang Panlungsod of Muntinlupa in Session Assembled that:

SECTION 1. Short Title – This Ordinance shall be known as the “Ordinance Amending City Ordinance No. 2020-181.”

SECTION 2. Coverage – This Ordinance shall provide amendments to City Ordinance No. 2020-181 with title “An Ordinance Instituting StaySafe.Ph Application as the Official Contact Tracing System of the City of Muntinlupa Mandating All Residents and Non Residents of the City of Muntinlupa to Use it in All Establishments, Whether Public or Private, and Providing Penalties for Violation Thereof,” enacted on 07 December 2020.

SECTION 3. Paragraph Nos. 6 and 7, Section 3 of City Ordinance No. 2020-181, shall now read as:

“6. Registrant – refers to all customers, visitors, employees of public and private establishments, and other individuals, who are authorized persons outside of their residences (APORs) as prescribed by the IATF and/or other implementing authorities, whether resident or non-resident of the City of Muntinlupa.

7. Scanner – refers to a device with functional camera, supports wireless internet access, and has the ability to run software applications (preferably, Android 9.0 and up or IOS 13 and up) that will be used for scanning QR codes.”

SECTION 4. Section 4 of City Ordinance No. 2020-181, shall now be read as:

“SECTION 4. Mandatory Installation and Use of StaySafe.PH system – An application software which enables people to report their health condition and facilitate the Government in contact tracing, by allowing individuals to log their basic personal information upon registration, interactions, and health declaration.





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For covered individuals:

All covered individuals shall be required to download the StaySafe.PH application in their devices and register their own account therein. When the registration is complete, the individuals shall be provided with a non-transferable unique generated QR Code which they can store on their phone or print for physical copy as their identification card upon entering covered establishments.

QR Codes for non-smartphone user registrants shall be generated by their respective barangays and shall be distributed to where the registrant resides.

For covered establishments:

Public and private establishments shall be required to download the StaySafe.PH application in their scanner devices and register their own account therein as an Administrator.

Upon registration and verification with the provider, they shall generate their own unique StaySafe.Ph ENTRANCE QR Code, which shall be posted at conspicuous places of each entry points of the establishment for the individuals to see and scan.

All indoor establishments within a covered establishment shall be required to register their respective establishments with StaySafe.PH as separate and distinct Administrator entity."

SECTION 5. Section 6 of City Ordinance No. 2020-181, shall now read as:

"Section 6. *Health Declaration* – The registrant upon signing-in shall declare his/her health status. The registrant shall update his/her health condition on a daily basis and notify the StaySafe.PH if he/she is having COVID-19 like symptoms."

SECTION 6. Section 7 of City Ordinance No. 2020-181, shall now read as:

Section 7. *Mandatory Use of QR Code or the "No QR Code, No Entry Policy"* – The QR Code, as the digital footprint of the registrant, records whom he/she has had contact with in the covered establishment at a particular day and time.



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For covered individuals:

1. All customers, visitors, employees of the public and private establishments, and other APORs shall not be allowed entry unless:
2. They scan the QR Code with their handheld devices at the designated entrance of the establishment; OR
3. They present their own QR Code to the designated establishment personnel, who shall scan the same, prior entry.

For covered establishments:

1. Covered establishments must provide a scanner for the use of the designated personnel, who shall either:
 - a. Scan and make sure that each individual who enter the establishment possesses a StaySafe.PH unique personal QR Code; OR
 - b. Monitor the individuals scanning the establishment's QR Code prior to entry.

A RED SCREEN on the individuals StaySafe.PH homepage shall mean that the individual shall be prohibited entry from the establishment, while a **GREEN SCREEN** gives the individual a clearance to enter the same; however, establishments are given the discretion to allow or prohibit entry of individuals regardless of the status determined in the color of their screen.

SECTION 7. Section 12 of City Ordinance No. 2020-181, shall now read as:

"Section 12. Administrative Penalty – In addition to the liability attaching to the offender prescribed by existing laws, any person or entity found to be violating any of the provisions of this Ordinance shall be meted out the following penalties:

Any person found violating Section 11a of this Ordinance shall be charged with a penalty of:

1. **First Offense:** Fine of One Thousand Pesos (Php1,000.00)
2. **Second Offense:** One Thousand Five Hundred Pesos (Php1,500.00)
3. **Third Offense:** Fine of Five Thousand Pesos (Php5,000.00) and/or imprisonment of not more than thirty (30) days at the discretion of the Court



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In case the offender is a government official or employee, the maximum penalty provided by applicable laws, rules and regulations, shall be imposed without prejudice to the filing of administrative, civil, and/or criminal action(s). In addition, he/she cannot go out of his/her residence, work or engage in business.

Any covered establishment found violating Section 11b of this Ordinance shall be charged with an administrative penalty of:

First Offense: Two Thousand Pesos (PhP2,000.00) and suspension of franchise or business permit until violation has been rectified;

Second Offense: Three Thousand Pesos (PhP3,000.00) and suspension of franchise or business permit until violation has been rectified;

Third Offense: Five Thousand Pesos (PhP5,000.00) and revocation of franchise or business permit."

SECTION 8. Separability Clause – If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby shall continue in full force and effect.

SECTION 9. Repealing Clause – All ordinances, local issuances, or rules inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 10. Effectivity Clause – This Ordinance shall immediately take effect immediately upon approval and in accordance with the publication and posting requirement, due to the urgency concern caused by the COVID-19 pandemic.

Should the declared state of emergency be lifted, the regulations imposed by this Ordinance shall accordingly be repealed without need of further action from the Sangguniang Panlungsod.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 8th day of February 2021, on its 83rd Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member



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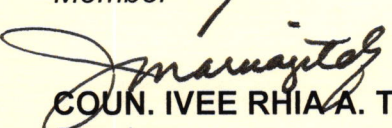


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COUN. ALLAN REY A. CAMILON
Member


COUN. TING NEFES
Member


COUN. STEPHANIE G. TEVES
Member


COUN. IVEE RHIA A. TADEFFA
Member

DISTRICT 2:


COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

(ABSENT)
COUN. MA. DHESIREE G. AREVALO
Member


COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

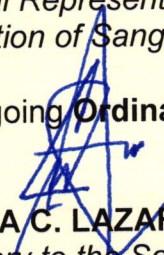

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary to the Sanggunian



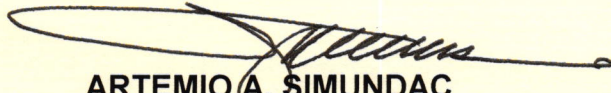
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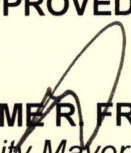


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ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: 09 FEB 2021





