



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



RESOLUTION NO. 2021-560

A RESOLUTION REQUESTING THE CITY MAYOR ATTY. JAIME R. FRESNEDI TO SUSPEND THE IMPLEMETATION OF THE PENAL PROVISIONS UNDER ORDINANCE NO. 2020-181 OR THE STAYSAFE.PH ORDINANCE, AS AMENDED

- 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 – via zoom
 - 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. Ma. Dhesiree G. Arevalo– via zoom
 - 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, on 26 November 2021, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-EID) issued Resolution No. 85, series of 2020, and Paragraph B, No. 2 thereof states that **“StaySafe.PH shall be the government’s digital contact tracing application of choice and shall be mandatory for adoption and use in all government agencies and instrumentalities, and Local Government Units (LGUs);”**

WHEREAS, on 07 December 2020, the City Council enacted Ordinance No. 2020-181 or **“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,”** otherwise known as the **“StaySafe.PH Application Ordinance;”**

WHEREAS, on 08 February 2021, the City Council enacted Ordinance No. 2021-207 or **“An Ordinance Amending City Ordinance No. 2020-181, otherwise known as the StaySafe.PH Application Ordinance;”**

WHEREAS, on **24 June 2021**, the Committee on Health and Sanitation conducted a public hearing to revisit the implementation of City Ordinance No. 2020-181 as amended by City Ordinance No. 2021-207;





REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



Page 2
Resolution No. 2021-560

WHEREAS, on the said public hearing, the representative of the application developer, MultiSys Technologies Corporation, informed the Committee that "the StaySafe.PH Application is not fully operational" (Paragraph 5, Committee Report dated 25 June 2021);

WHEREAS, pursuant to the above statement of the developer, *"the City Legal Office finds the implementation of the StaySafe.PH Application as legally untenable because penalties are being imposed on establishments on a half-baked application."* (Paragraph 5, Committee Report dated 25 June 2021);

WHEREAS, the Department of Interior and Local Government (DILG) issued its Memorandum dated 27 October 2021 entitled *"Reiteration of DILG Memorandum Circular 2021-075 re: Implementation on the Use of the StaySafe.PH for Cities and Municipalities,"* restating the adoption and use of the StaySafe.PH Application in all cities and municipalities without any existing contact tracing applications;

WHEREAS, the local implementing authorities sought clarification from the Committee on Health and Sanitation regarding the imposition of penalties under the existing City Ordinances, rules, and regulations, on StaySafe.PH Application as contact tracing system;

WHEREAS, on 11 November 2021, the Committee on Health and Sanitation conducted a public hearing to discuss any updates in the implementation of the StaySafe.PH Application Ordinance, as amended;

WHEREAS, as of 29 January 2021 or since the date of the strict implementation of the StaySafe.PH Ordinance in the City Government, the Application still has recurring issues in reporting accurate and real-time data making people doubt its reliability as to the contact tracing system of the City;

WHEREAS, the City Legal Office, as represented, opined that a Resolution is a sufficient instrument to suspend the effectivity of the penal clause of an Ordinance, as necessary and applicable;

WHEREAS, under Article 107, paragraph (a) of the Rules and Regulations Implementing the LGC (LGC-IRR), it can be gleaned that:

"(a) Legislative actions of general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be enacted upon by resolution."

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the 9th Sangguniang Panlungsod of Muntinlupa, to request to the City Mayor Atty. Jaime R. Fresnedi to suspend the implementation of the penal provisions under Ordinance Nos. 2020-181 and 2021-207 or the StaySafe.PH Ordinance and its amendatory ordinance, respectively.





REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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

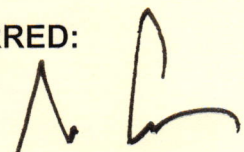


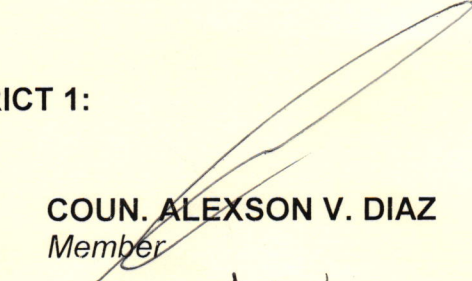
Page 3
Resolution No. 2021-560

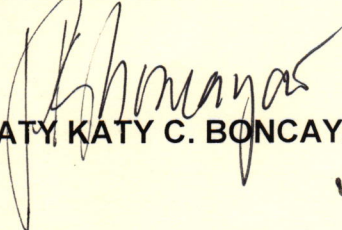
ADOPTED, by the 9th Sangguniang Panlungsod this 15th day of November 2021,
on its 123 Regular Session.

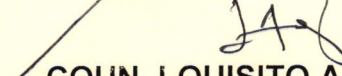
CONCURRED:


DISTRICT 1:

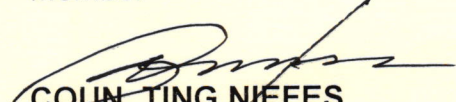

COUN. ATTY. RAUL R. CORRO
Member


COUN. ALEXSON V. DIAZ
Member


COUN. PATY KATY C. BONCAYAO
Member


COUN. LOUISITO A. ARCIAGA
Member


COUN. ALLAN REY A. CAMILON
Member



COUN. TING NIEFES
Member


COUN. STEPHANIE G. TEVES
Member


COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2:


COUN. ENGR. MARISSA C. RONGAVILLA
Member



COUN. FRANCIS IAN F. BAGATSING
Member


COUN. MARK LESTER M. BAES
Member

COUN. MA. DHESIREE G. AREVALO
Member


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


COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member



REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



Page 4
Resolution No. 2021-560

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

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

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

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 23 NOV 2021