



Republic of the Philippines
Province of Zamboanga del Norte
MUNICIPALITY OF PIÑAN



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 77TH REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD ON JANUARY 15, 2024 AT THE SB SESSION HALL

Present:

Honorable Rommel I. Gudmalin	Municipal Vice-Mayor <i>Presiding Officer</i>
Honorable Glecerio Y. Redillas, Jr.	Sangguniang Bayan Member
Honorable Benedicto C. Cainta II	Sangguniang Bayan Member
Honorable Gina R. Aleta	Sangguniang Bayan Member
Honorable Al Immanuel U. Cantila	Sangguniang Bayan Member
Honorable Ricardo R. Sabandal	Sangguniang Bayan Member
Honorable Celso M. Montemayor	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Ignacio L. Galan	Ex-Officio Sangguniang Bayan Member <i>(Liga ng mga Punong Barangay- President)</i>
Honorable Joel Audrey Cristal P. Galvez	Ex-Officio Sangguniang Bayan Member <i>SKF President</i>
Honorable Jodilyn P. Tatad	Ex-Officio Sangguniang Bayan Member <i>IPMR</i>

Absent: None

**MUNICIPAL ORDINANCE NO. 2024-002
Series of 2024**

AN ORDINANCE REQUIRING THE INSTALLATION OF VIDEO SURVEILLANCE CAMERAS OR CLOSED- CIRCUIT TELEVISION (CCTV) SYSTEM IN ALL BUSINESS ESTABLISHMENTS, COMMERCIAL COMPLEXES, PUBLIC BUILDINGS, LEARNING INSTITUTIONS AND OTHER PUBLIC PLACES AND ALONG THE MAJOR THOROUGHFARES AND INTERSECTIONS IN THE MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Sponsored by : Hon. Gina R. Aleta

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code (LGC) of 1991, also known as the General Welfare Clause, provides in part that every local government unit shall exercise powers necessary for its efficient and effective governance and those which are essential to the promotion of general welfare;

WHEREAS, Section 447 of Republic Act 7160 provides in part that the Sangguniang Bayan shall enact ordinances for the general welfare of the Municipality and its inhabitants

and in this regard, enact and approve ordinances relative to the (i) maintenance of peace and order in the municipality (ii) suppression of lawlessness therein, and (iii) authorization of the issuance of permits or licences upon conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, regulating thereby any business which does not require government examination within the municipality and the conditions under which the license for said business may be issued or revoked;

WHEREAS, law enforcement agencies in the country have already proven that Closed-Circuit Television (CCTV) systems are among the most effective tools in crime deterrence, prevention, detection and solution since there is a video recording which can be used in addition to the testimonies of witnesses;

WHEREAS, in order to intensify the municipality's drive to deter, prevent, detect, and solve criminality, and to preserve video recording as evidence, this august body deems it proper to require the use of CCTV systems in business establishments within the Municipality of Piñan, Zamboanga del Norte;

WHEREAS, the Department of the Interior and Local Government (DILG), through the Philippine National Police Directorate for Research and Development and in consultation with the Department of Science and Technology (DOST) has recommended the minimum technical specifications for CCTVs prescribed pursuant to this ordinance;

NOW, THEREFORE, on motion of Honorable Gina R. Aleta, severally seconded by the members of the Sangguniang Bayan present, it was;

BE IT ORDAINED AND PROMULGATED by this Honorable Body during its regular session assembled.

SECTION 1. TITLE OF ORDINANCE. – This ordinance shall be known as the "CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM ORDINANCE OF THE MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE".

SECTION 2. DECLARATION OF POLICY. – It is hereby declared the policy of the Municipality of Piñan to preserve and promote peace, security and stability within the territorial bounds of this Municipality.

It is also the policy of the Local Government Unit of Piñan to protect and secure the well-being of its constituents from criminality and lawlessness by providing them a safer environment, by enacting measures for the maintenance of peace and order within its jurisdiction and by actively seeking and making use of modern technology in providing basic peace and order services to the constituents of Piñan.

It is further the policy of the Local Government Unit of Piñan to ensure that the fundamental rights of an individual to privacy is not and will not be unnecessarily hampered or curtailed other than what is necessary for the protection of the welfare of the public in general.

Thus, in the enactment and implementation of this ordinance, the Municipality of Piñan, affirms its adherence and full respect for every individual's fundamental right to privacy by regulating the installation and use of video surveillance camera or CCTV,

ensuring that the feed locations are limited to public viewing and/or disclosure of video recording made in accordance with pertinent rules and regulations.

SECTION 3. DEFINITION OF TERMS. – For the purpose of the Ordinance, the following terms shall mean:

1. **Business Establishments** – refer to banks and their satellite offices, automated teller machines, pawnshops, credit facilities and other lending and financial institutions, as well as gasoline stations, service shops, hotel, lodging house, restaurants, computer/internet shops, terminals and other high risk commercial complexes or establishments as may be identified.
2. **Commercial Complex** – refers to a building or structure or a set of buildings or structures usually owned by single owner, company, or corporation housing under its roof several business entities of varies natures by various owners.
3. **Video Surveillance System** – means a digital surveillance system including cameras, cabling, monitors, and digital video recorders (DVRs) that records in color with cameras and lens of a type, minimum resolution, number and locations approved by the Chief of Police, Piñan Municipal Police Station or his/her designee. This system must be capable of producing retrievable and identifiable images and video recordings on an approved media that can be enlarged through projection or other means, and can be made a permanent record for use in a criminal investigation. It shall also include without limitation any closed-circuit video cameras (CCTV) or other cameras, video recorders, digital cameras [or], digital recorders or other technological devices used in the above manner.
4. **Feeds** – refer to the visual information transmitted by the CCTV Cameras
5. **Feed Locations** – areas that are covered or viewed by video surveillance cameras.
6. **High Risk Areas** – refers to commercial complexes and establishments and other places and spaces with common business areas where there is a greater degree of susceptibility to occurrence of accidents or criminalities because of the numerous financial, social or business interactions of places and spaces where critical properties are situated.
7. **Monitors** – refer to the screen or other devices on which the feeds are viewed.
8. **Recycling** – refers to the process by which records or tapes of feeds or visual information may be erased through overrun by another or new visual information.
9. **Designated Security Personnel** – police or civilian personnel authorized to operate or use particular CCTV camera/s.

SECTION 4. SCOPE AND APPLICATION. – The following business establishments are required to install video surveillance cameras.

1. Banks and other financial institutions, pawnshops, money lenders, money remittance services, money changers, and the like;
2. Business establishments that are part of a national chain or have several branches in other parts of the country, such as restaurants/fast food chains, 24-hour convenience stores, drug stores, and the like;

3. Shopping malls, shopping centers, supermarkets, grocery stores, movie houses, theaters, hospitals and medical facilities, public transport terminals, places of entertainment, and the like which draw a considerable number of customers/patrons; Computer and Internets shops, service shops; Industrial and manufacturing establishments; Car dealership, gasoline/fuel refilling/service stations; Lumber and hardware stores, Rice mills; and
4. Other Business establishments which the Sangguniang Bayan may deem proper considering the type of business and potential risks in their respective areas;

All concerned local government and national government agencies' facilities and building where the public frequently converge like markets, terminals, plazas and parks and other high risk areas as may be recommended by the Public Safety Office and/or the Piñan, Philippine National Police Office;

1. All educational establishments in the Municipality, whether private or public irrespective of their locations;
2. Major thoroughfares, entrance and exit points and intersections in the Municipality.

All facilities required to install video surveillance or CCTV's pursuant to this Ordinance shall install and operate a high resolution video surveillance or closed circuit television cameras which shall be maintained in proper working order at all times, at least twenty four (24) hours each day and for seven (7) days a week, and meet the minimum technical specifications set by this ordinance and the moment it ceases to function and/or becomes defective, it should be repaired or make at once operative, otherwise fines may be imposed.

In cases where the establishment is leased to one or more tenants, it is the responsibility of the LESSOR to install video camera on the common area, and the LESSEE shall also install video camera within their leased premises.

The Local Government Unit of Piñan shall cause the installation of CCTV or video surveillance camera along major thoroughfares, intersections, entrance and exit points of the Municipality, to augment the security and police work being undertaken by the Piñan Police Office and the Public Safety Office (PSO). Appropriations for this purpose shall be given priority in the allocation of funds in the current or succeeding annual or supplemental budgets of the municipality.

SECTION 5. MINIMUM TECHNICAL SPECIFICATIONS. – The CCTV system to be installed must be meet the following minimum specifications;

- **(1) CAMERA;**
- At least 2.1 megapixels (1920 x 1080p) Network/IP Camera;

- Wide Dynamic Range (can auto adjust brightness and contrast for superb clarity);
- At least infrared (for night recording) or other features for low-light recording.

- **(2) VIDEO RECORDER**

- Minimum 4-POE Port NVR;
- At least with H.264 Compression (for bandwidth and Storage Reduction);
- Minimum Viewing Resolution 1024 x 768;
- Must have Time Stamping Feature;
- Storage at least 250GB HBD for every camera.

- **(3) OTHER COMPONENTS**

- Uninterruptible Power Supply (UPS);
- CCTV Box with Lock (Optional) – to restrict physical access to the NVR;
- 18' LCD/LED Monitors (for 4 camera live feed) with VGA/HDMI input;
- Mouse

SECTION 6. INSTALLATION GUIDE. – The following installation guide is recommended to be followed;

- Cameras must be installed at a secure location with maximum area of coverage;
- The Video Recorder must be mounted on a secured/concealed location to protect the video footages from theft and/or deliberate destruction;
- Whenever possible, a back-up file stored in the DVD Disk (on site or remotely) shall be recorded for archiving purposes;
- Whenever possible, a dummy CCTV Camera shall be installed in a conspicuous area in order to deter possible criminal acts and to protect the camera and the video footages.

SECTION 7. MINIMUM COVERAGE. – The video camera shall be installed in the best possible location on the establishment and connected to the television monitors from where the activities, occurrences and people within or outside the premises, to include but not limited to street, alleys and sidewalks can be visually monitored. All the establishments mentioned under Section 4 hereof shall be required to install CCTVs or video surveillance cameras to afford a full coverage of the following:

- From the interior of the establishment;
- (i) All entrances/exits; and
- (ii) The center of business activity in the establishment (including the tellers, cashiers, cash registrar, sales counters, or areas leading to the vault/safe) according to the nature of business/operation of the establishment.
- From the exterior of the establishment (when the establishment is not located inside a male or building which has its own exterior cameras;
- (i) All entrances and exits;

- (ii) From the entrances/exits, a clear view of the area to and from the street(s) abutting the establishment, including frontage thereof, taking into particular consideration the clarity of the shots in relation to the angles thereof;
- (iii) Parking lots and drive-through lanes (when applicable).

Establishments that have their own car park may install at least one camera to view and capture the activities thereat. There shall be sufficient lighting in all locations covered by the camera;

SECTION 8. IMPLEMENTING OFFICES. – The Public Order and Safety Division establishments’ compliance with the directives of this Ordinance, compulsory inspection of the installed CCTVs shall be conducted by the PSO with the assistance of the Philippine National Police (PNP), before the issuance of clearance or certification therefore, which clearance or certification shall be a mandatory requirement for the issuance or renewal by the Business Permits and Licensing Office (BPLO) of a business permit or license. A special designed sticker shall be posted by the inspection team on the establishments that have complied herewith.

An establishment found to be in violation hereof shall be inspected again thirty (30) days after the first inspection to determine if it has already complied with the requirements provided under this ordinance. An establishment that fails to comply during the second inspection shall be deemed to have violated this Ordinance.

The POSD may thereafter conduct inspections during reasonable business hours on establishments that have already complied twice every year without prior notice to ensure that the video surveillance system or CCTV is operational and well maintained. The POSD shall coordinate with and seek the assistance of the Local Chief of Police or his duly authorized representative in this regard. No business permit or permit to operate shall be issued or renewed for the business establishments mentioned in Section 4 hereof unless the CCTV’s as herein specified are installed and fully operational.

SECTION 9. LIMITATION ON USE. – CCTV cameras, and all feeds, shall be solely used in the specified instances set forth in this Ordinance, and use by such persons other than the owners and designated security personnel authorized to operate the same in any manner or location, and for any other purpose, is expressly prohibited.

1. **Law Enforcement and Crime Prevention** – CCTV cameras and any all feeds, shall be used for the purpose of surveillance in the service of law enforcement and crime prevention within the municipality where there is documented criminal activity.
2. **Traffic Monitoring** – CCTV cameras and any and all feeds shall be used for the purpose of traffic monitoring but are not intended to include enforcement of traffic violations. Notwithstanding the foregoing, the feeds from the CCTV cameras used for traffic monitoring may be used for lawful purpose in the event that such CCTV

cameras while being used for their primary function, incidentally view behavior that cause or is likely cause danger to person or property.

SECTION 10. ACCESS TO RECORDINGS. – Daily video recording must be in digital format stored and preserved for at least thirty (30) to ninety (90) days for review and reference purposes, after which the same may be overwritten. If a crime has occurred at the premises or in the vicinity of the establishment, or the operator, employee, or owner of the establishment has no reason to believe that a crime has been committed and has been recorded by the CCTV, he/she shall immediately contact the nearest police station, and shall provide access to the pertinent recordings to the police and other investigators. The entire ninety (90) days of recording containing the incident shall be preserved until;

1. The termination of the case or
2. Full and faithful reproduction is made by law enforcement agencies duly witnessed by an IT professional and a Barangay Official, UNLESS its prolonged preservation is ordered by the Court, by the Chief of Police of the Municipality of Piñan Police Office in connection with an ongoing investigation, or by the Municipal Mayor.

The operator, employee or owner of the business establishment shall also make available the camera recording to the law enforcement authorities engaged in criminal investigation upon written request of the authorized or designated officer thereof with the particular time and day covered by the request therein specified.

The captured video footage or images may be used at any time to satisfy the written order of subpoena of any court or body with competent jurisdiction.

SECTION 11. CONFIDENTIALITY AND PRESERVATION OF FEEDS. – The manager/owner of the business establishments shall maintain the confidentiality of the video feeds and recordings obtained, as a result of the surveillance performed, in accordance with this ordinance. Feeds shall be recorded or otherwise stored by the establishment for future use for a period of not less than thirty (30) to ninety (90) days.

Toward this end, the owner shall prohibit the use, viewing, copying, disclosure, or publication of said video feeds and recordings, for any purpose not allowed under this Ordinance.

SECTION 12. PRIVACY OF INDIVIDUALS. – The viewing of recorded or captured video footage or images shall be made with due respect to the privacy of individuals. The installation of surveillance CCTV cameras in any restroom, toilet, shower, bathroom, changing room, and other similar areas shall be prohibited.

SECTION 13. EMPOWERMENT OF THE BARANGAY LOCAL GOVERNMENT UNIT (BLGUS). – Since the Ordinance calls for the promotion of the Municipality’s overall security and peace and order, all twenty-two (22) Barangays of Piñan, Zamboanga del Norte, under the leadership of their respective Punong Barangay, are hereby enjoined to partake their full support. In the face of the evolving phases of security threats and forms of lawlessness, and the local government’s resolve to confront and eradicate criminalities, the need to adopt the CCTV security camera system in every barangay locality shall no longer be a luxury but a necessity. BLGUS shall be delegated with the responsibility of helping the Piñan Municipal Police Office in the information of a quick response team that will respond to all crimes confrontations, i.e., deployment of Barangay Police/Tanods and civilian volunteer organizations.

The need to initiate a barangay-wide information dissemination is also necessary. As a collective body of people from all walks of life, the barangay can greatly contribute to the success of this local government’s security program. The general public’s support is crucial; people from all concerned offices of the local government, public and private schools, business establishments, churches, civic organizations, non-government organizations (NGOs), and people’s organizations (POs) are also hereby enjoined to partake their cooperation.

SECTION 14. PENALTY PROVISION. –

1. For new business establishments:

- a. Fine of FIVE HUNDRED PESOS (P 500.00).
- b. Non-compliance with the provisions of this ordinance shall be a ground for the non-issuance of the Mayor’s and Business Permit to operate business within the Municipality of Piñan, Zamboanga del Norte in the case of a new applicant, and non-renewal thereof.

In the case of existing establishments:

- c. After a period of thirty (30) days after an inspection has been made and the establishment is still not complying with the provisions of this Ordinance, a fine of One Thousand Five Hundred Pesos (P 1,500.00) shall be paid, plus a one (1) month suspension of business permit, except the if the violation pertains to non-functionality of video cameras, in which case the suspension shall be effective until a compliant video camera system is operational.
- d. A fine of Two Thousand Five Hundred Pesos (P 2, 500.00) plus revocation of business permit when there is a continuous violation of the provisions of the Ordinance.

Provided, that if any erring business establishment refuses or fails to pay the imposed fines within one (1) week from the issuance of notice of violation, its business permit shall be suspended until the penalty shall have been settled.

2. For person/s or individual:

- a. Any person who violates on the provisions set forth in the Ordinance shall be punishable by an administrative fine as follows:

First Offense – fine amounting to One Thousand Pesos (P 1,000.00)

Second Offense – amounting to Two Thousand Five Hundred Pesos (P 2,000.00)

Third and Succeeding Offenses- a fine of Two Thousand Five Hundred Pesos (P 2,500.00) or six (6) months imprisonment, or both, at the discretion of the court.

- b. Any person who destroys, defaces or removes, intentionally blocks the field of view, or otherwise renders a video camera ineffective or inoperative the installed video camera or monitoring device without the authority of the concerned business establishment shall pay a fine of Two Thousand Five Hundred Pesos (P 2, 500.00), or six (6) months imprisonment, or both, at the discretion of the court and shall be required to pay for the cost of repair or replacement of such device.

SECTION 15. FUNDING REQUIREMENTS. – The Municipality of Piñan shall allocate an amount of Two Million Pesos (P 2,000,000.00) for the installation of CCTV Cameras on all Municipal Government Facilities and along major thoroughfares, entrance and exit points and intersections in the municipality. This fund shall also be used for technical training of ICT staff and/or other members of the CCTV Inspection Team in the installation, handling and monitoring of CCTV systems.

Installation of CCTV cameras on all private establishments will be shouldered by the owner or by the company or business establishments.

SECTION 16. APPEALS PROCESS. – Any establishment found to be in violation of this Ordinance by the POSD may appeal the findings thereof to the Office of Municipal Mayor within five (5) working days from being notified of its violation by the POSD, and shall furnish copy of the appeal to the POSD prior to the filing thereof with the Office of the Municipal Mayor. Within five (5) working days from receipt of the copy of the appeal, the POSD shall submit its answer to the Office of the Municipal Mayor, furnishing the business establishment a copy of the same on even date. Should the POSD fail to file its answer to the appeal within the given period, it shall be deemed to have opposed the appeal on all its material points. The Office of the Municipal Mayor shall decide on the matter within five (5) working days from receipt of the answer of the POSD or from the date the period of filing therefore has lapsed, giving due notice to the parties involved. The decision of the Municipal Mayor shall be final, and no motion for reconsideration shall be entertained thereafter, subject to such remedial measures as may be the available under the law or the Rules of Court.

SECTION 17. COMPLIANCE. – Businesses and other establishments covered by the scope of this ordinance shall have a period of one (1) year from the effectivity of the same within which to comply with the directives hereof.

SECTION 18. SEPARABILITY CLAUSE. – If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 19. REPEALING CLAUSE. – All ordinances, rules and regulations or parts thereof in conflict with this ordinance are hereby repealed, provide that rights that are vested at the time of the effectivity of this Ordinance shall not be Impaired.

SECTION 20. EFFECTIVITY CLAUSE. – This ordinance shall take effect fifteen (15) days after its approval, posted in at least three (3) conspicuous places in the Municipality and its publication in the newspaper of general circulation.

CARRIED UNANIMOUSLY.

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I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance.


MARIA CELESTE B. CANOY
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT AS TO ITS
PASSAGE ON THE THIRD AND
FINAL READING:


ROMMEL I. GUDMALIN
Vice-Mayor
(Presiding Officer)

APPROVED:


CECILIA J. CARREON
Municipal Mayor
25 JAN 2024