



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF SIAYAN,
ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 4TH DAY OF DECEMBER
2023.**

PRESENT:

Hon. Josecor S. Gepolongca, Presiding Officer	Municipal Vice Mayor
Hon. Raul P. Dominise, Presiding Officer Pro-Tempore	Sangguniang Bayan Member
Hon. Daisy A. Limbang, Majority Floor Leader	-do-
Hon. Wilfredo A. Siasico, Asst. Majority Floor Leader	-do-
Hon. Roel J. Fabiran,	-do-
Hon. Rey L. Anugon	-do-
Hon. Wencito B. Intoy,	-do-
Hon. Billynel C. Catig,	-do-
Hon. Estrella S. Zapatos, Minority Floor Leader	-do-
Hon. Maribel C. Okay, LIGA President	-do-
Hon. Dave F. Labadlabad, SK Fed. President	-do-
Hon. Johnny C. Anugon, Sr. IPMR	-do-

ABSENT:

PREFATORY STATEMENT

WHEREAS, Section 16 of the Local Government Code of 1991 or Republic Act No. 7160, also known as the General Welfare Clause, provides in pan 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, Sections 447 and 458 of the of said Republic Act 7160 provide in pan, that the Sangguniang Bayan shall enact ordinances for the general welfare of the municipality/city and its inhabitants pursuant to the abovementioned Section 16 of said law, and in this regard, enact and approve ordinances relative to the: (i) maintenance of peace and order in the municipality/city, (ii) suppression of lawlessness therein, and authorization of the issuance of permits or licenses upon conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality/city, regulating thereby any business which does not require government examination within the municipality/city 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 Televisions (CCTV) 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

WHEREAS the Department of the Interior and Local Government, through the Philippine National Police Anti-Cybercrime Group, has conducted a study as to the minimum technical specifications to be required of CCTVs to be installed pursuant to this ordinance.

BE IT ORDAINED by the Sangguniang Bayan in regular session assembled:

"MUNICIPAL ORDINANCE NO. 23-15
Series of 2023

SECTION 1. TITLE. This ordinance shall be known as: AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF SIAYAN, ZAMBOANGA DEL NORTE TO INSTALL CLOSED CIRCUIT TELEVISION SYSTEM (CCTV) AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

SECTION 2. SCOPE AND APPLICATION - The following business establishments are required to install CCTVs:

- Financial establishments such as Banks, pawnshops, money lenders, money remittance services, money changers, and others with similar transactions.
- 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, convenience stores, grocery stores, drug stores, etc.
- Shopping malls, shopping centers, supermarkets, wet markets or *palengke*, and other similar establishments.
- Hospitals, laboratories, clinics, and other medical facilities.
- Theaters, movie houses, *Perya*, arcades, internet cafes, and other places of entertainment that draw in a considerable number of customers.
- Airports, ports, public transportation terminals, parking lots, and other similar establishments that cater to a large number of vehicles.
- Car dealerships, gasoline/fuel stations, vehicle maintenance/service stations.
- Other business establishments which the Sanggunian deems proper considering the nature of business and potential risks in their respective areas.
- The CCTV shall be maintained in proper working order at all times, shall be in continuous operation, and shall meet the minimum technical specifications set by this ordinance.

SECTION 3. MINIMUM TECHNICAL SPECIFICATIONS - The CCTV system to be installed must meet the following minimum specifications:

CAMERA
<ul style="list-style-type: none">- High-Definition Analog or at least 2 Megapixel Digital Camera- 0.1 Lux Minimum Illumination- 2.8mm to 3.6mm Focal Length- Auto-Iris Focus Lens (fixed/vari-focal)- 1/30s to 1/50,000s Shutter Speed- 50-meter Infrared Range- 120dB Wide Dynamic Range- Pan and Tilt adjustment of 0 degrees to 180 degrees and Rotate adjustment of 0 degrees to 360 degrees

- Outdoor cameras must be vandal-proof with IP 66 Weatherproof Casing

VIDEO/AUDIO INPUT

- Hybrid Type (accepts Digital and Analog signal), Minimum of four (4) camera input
- Video and Audio Stream Input
- H.264 (Advanced Video Coding) Video Compression and G.711u Audio Compression
- 30 frames-per-second (FPS) recording capability per camera
- Analog High-Definition Input (1080p@25FPS, 1080p@30FPS, 720p@25FPS, 720p@30FPS)
- Hard Disk Drive storage system with enough capacity to accommodate the prescribed retention period below. (4TB Capacity is approximately sufficient for 40 days of recording for DVR with 4 cameras at 1080p)
- Time stamping feature

VIDEO/AUDIO OUTPUT

- 720p or 1080p resolution
- 30 FPS
- At least 10 Megabits per second (Mbps) Video Bitrate and at least 64 Kilobits (Kbps) Audio Bitrate

OTHER SPECIFICATIONS

- At least four (4) cameras covering the areas of transaction and risks. When possible, one camera must be facing the street/entrance, with the actual number of cameras to depend on the size of the establishment and nature of business, as determined by the LGU
- Centralized power supply for the Video Recorder and Cameras
- Uninterruptible Power Supply (UPS) to provide standard and reasonable back-up power to the Video Recorder and Cameras

SECTION 4. INSTALLATION GUIDE - The following Installation Guide is recommended to be followed:

INSTALLATION

- Cameras must be installed at a secure location with maximum area of coverage of entrances/exits and areas of transaction or risk. Make sure that there will be no blind spots

- Video recorders must be mounted at secure/concealed locations to protect them from deliberate tampering
- Should not be installed in an area which is not well-lit at night and must be in an area with consistent lighting to pick-up identifying details, such as facial features
- Consider the angle of the cameras to avoid lens flare and backlighting
- Determine the following objectives and recording distance when installing CCTV Cameras: General Surveillance = 10 feet or greater, Facial Recognition = 5 to 7 feet, Plate Recognition (for Parking Lots) = 3 to 4 feet
- When possible, a back-up system should be installed alongside the CCTV system to ensure that data is kept secure in the event of physical harm to the storage devices such as fires, earthquakes, any form of deliberate tampering, and other similar situations
- When possible, dummy CCTV cameras should also be placed in a conspicuous area to deter possible criminal acts and protect the cameras
- Signages indicating that the establishment/area is being monitored by a CCTV System must also be installed in areas that visible and obvious to the public and must use clear, plain, and concise language
- At least one staff or employee should be trained to operate the CCTV System.

SECTION 5. PRIVACY – All the establishments required to install CCTVs under Section 2 hereof shall comply with the following guidelines on privacy:

5.1 Establishments covered shall strictly comply with the National Privacy Commission's guidelines on the use of CCTV Systems, as detailed in NPC Advisory No. 2020-04.

5.2 Video footage obtained through the CCTV Systems shall be retained for a maximum period of three (3) weeks in order to allow investigating authorities to properly retrieve and prepare

back-ups of the data relevant to any incidents that occur. Upon exceeding the prescribed period, video footage shall be permanently deleted from the system and all existing forms of back-up.

SECTION 6. MINIMUM COVERAGE - All the establishments mentioned under Section 2 hereof shall be required to install CCTVs as to afford a full coverage of the following:

- a. From the interior of the establishment:
 - (i) All entrances/exits;

- (ii) The center of business activity in the establishment (including the tellers, cashiers, cash registrars, sales counters, or areas leading to the vault/safe) according to the nature of business/operations of the establishment.
- b. From the exterior of the establishment (when the establishment is not located inside a mail or building which has its own exterior cameras):
 - (i) All entrances/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 shots in relation to the angles thereof;
 - (iii) Parking lots and drive-through lanes (when applicable).

SECTION 7. IMPLEMENTING OFFICES - The Siayan PNP - Siayan Municipal Police Station shall be responsible for the verification and determination of the relevant establishments' compliance with the directives of this Ordinance. The **MGSO** shall specify when compulsory inspection of the installed CCTVs shall be conducted before the necessary clearance or certification therefor may be issued, 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. The **MGSO** may thereafter conduct inspections during reasonable business hours, to determine continued compliance with this Ordinance post- issuance or renewal of such establishments' business permit or license by the BPLO. For all these purposes, the **MGSO** shall seek the advice and assistance of the local Chief of Police or his duly authorized representative.

SECTION 8. ACCESS TO RECORDINGS - If a crime has been committed, or the operator, employee, or owner of the establishment has reason to believe that a crime has been committed and has been recorded by the CCTV, the operator, employee, or owner of the establishment shall immediately contact the nearest police station and shall provide access to the pertinent recordings to the police and other investigators.

The operator, employee or owner of the business establishment shall also make available the camera recordings 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 or subpoena of any court or body with competent jurisdiction.

SECTION 9. PROHIBITION - The viewing of recorded or captured video footage or images shall be strictly prohibited with due respect to the privacy of individuals.

SECTION 10. PENALTIES - No business permit or permit to operate shall be issued to or renewed for the business establishments mentioned in Section 2 hereof unless the CCTVs as herein specified are installed and fully operational.

Further, a fine amounting to Two Thousand Five Hundred Pesos (PhP2,500.00) shall be imposed on any business establishment in operation found to be in violation of this Ordinance.

SECTION 11. APPEAL PROCESS - Any establishment found to be in violation of this Ordinance by the MGSO may appeal the findings thereof to the Office of the Mayor within five (5) working days from being notified of its violation by the MGSO, furnishing a copy of the appeal to the MGSO prior to the filing thereof with the Office of the Mayor. Within five (5) working days from receipt of the copy of the appeal, the MGSO shall submit its answer to the Office of the Mayor, furnishing the business establishment a copy of the

same on even date. Should the MGSO 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 Mayor shall decide on the matter within five (5) working days from receipt of the answer of the MGSO or from the day the period of filing therefor 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 then available under the law or Rules of Court.

SECTION 12. COMPLIANCE - Businesses covered by the scope of this Ordinance shall have a period of from the effectivity of the same within which to comply with the directives hereof.

SECTION 13. 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 14. REPEALING CLAUSE - All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

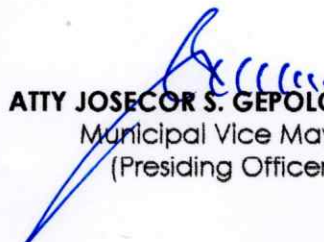
SECTION 15. EFFECTIVITY CLAUSE - This ordinance shall take effect Sixty (60) days after the declaration in order as operative of the Honorable Sangguniang Panlalawigan in the Province of Zamboanga del Norte and its publication in a newspaper of local circulation.

ENACTED this 4th day of December 2023.

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


WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


ATTY JOSECOR S. GEPOLONGCA
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


ALBERTO J. BONGCAWEL
Municipal Mayor

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