



Office of the Sangguniang Bayan

EXTRACT FROM THE MINUTES OF THE **REGULAR** SESSION OF THE SANGGUNIANG BAYAN OF BONTOC, MOUNTAIN PROVINCE (TERM 2019-2022) HELD AT ITS SESSION HALL ON NOVEMBER 4, 2019

PRESENT: HON. ALSANNYSTER F. PATINGAN,	Acting Vice Mayor and TPO
HON. VIOLA P. OKKO,	Member
HON. JOHN F. ENGNEGG,	Member
HON. JEROME B. TUDLONG, JR,	Member
HON. PETER C. KEDAWEN,	Member
HON. JOHN T. PELEW,	Member
HON.ROBERT B. DACYON,	Member
HON. ESTEBAN O. NGUDDO,	Member
HON. ALEXANDER N. FANA-ANG,	LnB President, Member
HON. GEORGE LUIS C. FAKAT,	IPMR, Member
HON. SHERWIN S. CHAMKAS,	SK Chairman, Member
ABSENT:	NONE

ORDINANCE NO. 314, S. 2019

(Sponsor: Hon. Jerome Tudlong, Jr.)

AN ORDINANCE MANDATING CERTAIN BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF BONTOC, MOUNTAIN PROVINCE TO INSTALL A CLOSED CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, Section 16 of the Local Government Code of 1991 or Republic Act No. 7160, 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 and 458 of the said Republic Act 7160 provide in part, that the Sangguniang Bayan shall enact ordinances for the general welfare of the municipality 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, (ii) suppression of lawlessness therein, and (iii) 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, 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) 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 certain business establishments within the municipality.

WHEREAS the Department of the Interior and Local Government, through the Philippine National Police Directorate for Research and Development, and in consultation with the Department of Science and Technology, has conducted a study as to the minimum technical specifications to be required of CCTVs to be installed pursuant to this ordinance.



Office of the Sangguniang Bayan

NOW, THEREFORE,

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF BONTOC IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF THE ORDINANCE- This ordinance shall be known as: **“AN ORDINANCE MANDATING CERTAIN BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF BONTOC 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:

- a. Banks, financial institutions, pawnshops, money lenders, money remittance services, money changers, and the like;
- b. Business establishments that are part of a national chains 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;
- c. Shopping malls. Shopping centers, supermarkets, movie houses, theaters, hospitals and medical facilities, public transport terminals, places of entertainment, and the like which draw a considerable number of customers/patrons;
- d. Car dealerships, gasoline/fuel refilling/service stations.

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. PRESERVATION OF VIDEO RECORDINGS – The owner(s) of the business establishments shall preserve the camera recording for at least seventy-two (72) hours, or such period as the LGU deems proper.

SECTION 4. MINIMUM TECHNICAL SPECIFICATIONS – The CCTV system to be installed must meet the following minimum specifications:

CAMERA
<ul style="list-style-type: none">- Minimum of 600 TVL Camera Resolution- Must be able to capture video footages at 0.1 Lux Illumination;- Should have auto-iris (either fixed or vari-focal)- Should have Infrared LEDs enough to reach a distance of at least 20 meters for clear recording at 0 Lux (for areas where there is no continued sufficient lighting);- Must have at least 70 degrees Lens Angle;- The Outdoor Camera must be vandal-proof or IP 66 Weatherproof Casing

VIDEO RECORDER
<ul style="list-style-type: none">- Minimum of four (2) camera input- Minimum of 640 x 480 video resolution;- 30 frames per second (FPS) recording per camera;- Should have Hard Disk Drive/s enough to store video

[Handwritten signatures and initials at the bottom of the page]



Republic of the Philippines
Mountain Province
Municipality of Bontoc
Office of the Sangguniang Bayan

- recording for all camera for at least 1 month;
- Must have Time Stamping Feature;
- Must have an interface for storage back-up

OTHER COMPONENTS

- At least four(4) cameras covering the areas of transaction and the risk; Provided that, at least one camera must be facing the street from the entrance (when applicable), with the actual number of cameras to depend on the size of the establishment and nature of business, as determined by the LGU concerned.
- Should have centralized power supply for the DVR and cameras;
- Should have appropriate Uninterruptible Power Supply (UPS) to provide standard and reasonable back-up power to the Video Recorder and its cameras.

SECTION 5. INSTALLATION GUIDE – The following Installation Guide is recommended to be followed:

INSTALLATION GUIDE

- Cameras must be installed at a secured 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 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:

- From the interior of the establishment:
 - All entrances/exits
 - 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.
- From the exterior of the establishment (when the establishment is not located inside a mall or building which has its own exterior cameras):
 - All entrances/exits;
 - 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;
 - Parking lots and drive-through lanes (when applicable)



Office of the Sangguniang Bayan

SECTION 7. EXEMPTION- business establishments mentioned under section 2 which are located in the same building are excused from the minimum number of camera input provided that the CCTV cameras are located in strategic places to cover all nearby business establishments located in the same building.

SECTION 8. IMPLEMENTING OFFICES – The licensing officer shall be responsible for the verification and determination of the relevant establishments' compliance with the directives of this Ordinances. The licensing officer 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 mandatory requirement for the issuance or renewal of Business Permit and Licensing Office (BPLO) of a business permit or license. The Business task force 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 Business task force shall seek the advice and assistance of the Local Chief of Police or his duly authorized representative.

SECTION 9. 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 10. PROHIBITION - The viewing of recorded or captured video footages or images shall be made with due respect to the privacy of individuals.

SECTION 11. 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 hundred pesos (P200.00) shall be imposed on any business establishment in operation found to be in violation of this ordinance.

For purposes of this Ordinance, each day that a violation continues shall be a separate violation.


[Handwritten signatures and initials]

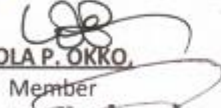


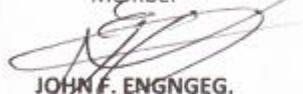
Republic of the Philippines
 Mountain Province
 Municipality of Bontoc
Office of the Sangguniang Bayan

CERTIFIED CORRECT:


EUSEBIO S. KABLUYEN
 Municipal Vice Mayor

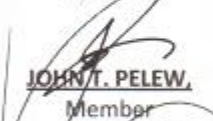

ALSANHY STERE PATINGAN
 Member and
 Temporary Presiding Officer



VIOLA P. OKKO
 Member


JOHN F. ENGNEGEG
 Member


JEROME B. TUDLONG, JR.
 Member



PETER C. KEDAWEN
 Member

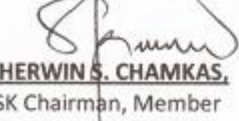

JOHN T. PELEW
 Member


ROBERT B. DACION
 Member



ESTEBAN O. NGUDDO
 Member


ALEXANDER N. FANA-ANG
 ABC President, Member


GEORGE M. C. FAKAT
 IPMR, Member


SHERWIN S. CHAMKAS
 SK Chairman, Member

ATTESTED BY:


CLIFTON F. CHANGAT
 LISO, OIC SB Secretary
 jpcs

SECTION 12. APPEAL PROCESS – Any establishment found to be in violation of this Ordinance by the licensing officer may appeal the findings thereof to the Office of the Mayor within five (5) working days from being notified of its violation by the licensing officer, furnishing a copy of the appeal to the licensing officer 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 licensing officer shall submit its answer to the Office of the Mayor, furnishing the business establishment a copy of the same on even date. Should the licensing officer 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 licensing officer or from the day the period of filing therefore has lapsed, giving due notice to the parties involved. The decision of the Mayor shall be final, and no motion for reconsideration shall be entertained thereafter, subject to such remedial measures as maybe then available under the law or Rules of Court.

SECTION 13. COMPLIANCE – Business covered by the scope of this Ordinance shall have until next calendar year from the effectivity of the same within which to comply with the directives hereof.

SECTION 14. 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 15. 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 16. EFFECTIVITY CLAUSE – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

APPROVED BY:


FRANKLIN C. ODSEY
 Municipal Mayor