



Republic of the Philippines  
Province of Bukidnon  
MUNICIPALITY OF MANOLO FORTICH  
**OFFICE OF THE SANGGUNIANG BAYAN**  
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**EXCERPT FROM THE MINUTES OF THE 4<sup>TH</sup> REGULAR SESSION OF THE 20<sup>TH</sup> SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT SANGGUNIANG BAYAN SESSION HALL ON JANUARY 26, 2023.**

PRESENT:

HON. REYNALDO L. BAGAYAS, JR.	Presiding Officer
HON. MIGUEL D. DEMATA	Municipal Vice Mayor
HON. JAY S. ALBARECE	Sangguniang Bayan Member
HON. RINA EDROTE QUIÑO	Majority Floor Leader
HON. ELZEVIR A. DAGUNLAY	Sangguniang Bayan Member
HON. JOY LAVISORES CORDOVEZ	Sangguniang Bayan Member
HON. CHRISTY L. SALABE	Sangguniang Bayan Member
HON. RAQUEL ABALES BAYACAG	Sangguniang Bayan Member
HON. JUNIDINI J. ARTAJO	Sangguniang Bayan Member
HON. ALEX D. PAYANGGA	IP Mandatory Rep.
HON. FLORAMAE DAYDAY PENASO	Liga ng mga Barangay Rep.
HON. JOHN ANTHONY G. LEYSON	SK Federation Rep.



ABSENT:

NONE

**ORDINANCE NO. 2023-1809**  
(4<sup>th</sup> Regular Session)

Co- Authored by: Honorable Jay S. Albarece

**AN ORDINANCE MANDATING CERTAIN BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF MANOLO FORTICH, BUKIDNON TO INSTALL CLOSE CIRCUIT TELEVISION SYSTEM (CCTV) OR OTHER SIMILAR VIDEO MONITORING DEVICES WITHIN THEIR PREMISES 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 that every local government unit shall exercise powers necessary for its efficient and effective governance and those which are essential of the promotion of general welfare." It further states that it shall also promote safety and maintain peace and order, and preserve the comfort and convenience of its inhabitants;



**WHEREAS**, Section 447 (ii) of the same code, provides that, "The Sanggunian as the legislative body shall xxx, maintain peace and order by enacting measure to prevent and suppress lawlessness, disorder, riot violence, rebellion, or sedition and impose penalties for the violation of said ordinances";

**WHEREAS**, the use of Closed Circuit TV (CCTV) cameras has been at the forefront of crime fighting technology, ranging from improving deterrence of crime to the recording of evidence of criminal activity;

**WHEREAS**, the Municipality of Manolo Fortich in its desire to ensure safety not only of tourist but all the constituents of the Municipality should then require owners/operators or person-in-charge of establishments or areas where public converge to adopt tighter security measures through the installation of CCTV, use of metal detectors, and the like. Maintenance of peace and order and the prevention of crime is of the primordial consideration thus this ordinance;

**WHEREAS**, to encourage the adoption of use of CCTV systems throughout the municipality, and in order to intensify the municipality's drive to solve criminality and to preserve visual footage as evidence, this August Body deems it proper to institutionalize the use of CCTV system in the business establishments within Manolo Fortich, Bukidnon.

#### **NOW THEREFORE**

**BE IT ORDAINED**, by the Sangguniang Bayan of Manolo Fortich, Bukidnon in session that:

**SECTION 1. TITLE** - This Ordinance shall be known as **AN ORDINANCE MANDATING CERTAIN BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITOTIAL JURISDICTION OF MANOLO FORTICH TO INSTALL CLOSE CIRCUIT TELEVISION SYSTEM (CCTV), VIDEO MONITORING DEVICES, AND SIMILAR EQUIPMENT WITHIN THEIR PREMISES TO ENSURE PUBLIC SAFETY AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.**

**SECTION 2. DECLARATION OF POLICY.** It is hereby declared the policy of the Municipal Government of Manolo Fortich to protect the security and well-being of its constituents from criminality and lawlessness by enacting sound measures for the maintenance of peace and order within its jurisdiction. It is also the policy of the Municipal Government of Manolo Fortich to ensure that the fundamental rights of an individual rights to privacy is not and will not be unreasonably hampered nor 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 Municipal Government of Manolo Fortich reiterates and 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 captured videos are limited to public spaces only and by the provision of proper safeguards against unauthorized viewing and/or publication of video recording made in accordance therewith.

**SECTION 3. COVERAGE** – Establishments falling under any of the following categories are hereby mandated to install CCTVs or other video monitoring devices in their establishments:

A. Public offices serving the general public;

B. High-risk and crime-vulnerable establishments, regardless of their capitalization, such as:

1. Jewelry shops and pawnshops;
2. Banks;
3. Money courier and money wire transfer, money remittance and pay-out centers serving 200 clients or more per day;
4. Lending entities;
5. Hotels, motels, hospitality establishments and the likes;
6. Establishments with games and amusements (PAGCOR) franchises;
7. Night Clubs, KTV Bars, and the likes;
8. Health clubs, SPA, and massage parlors;
9. Other business establishments considered high risk;

C. Establishments catering to the public, regardless of their capitalization, such as:

1. Bus Terminals;
2. Gasoline Stations and depots;
3. Grocery stores operating for 24 hours;
4. Hospitals;
5. Internet Cafes;
6. Commercial complex;
7. Malls;
8. Department Stores;
9. Restaurants;
10. Schools;
11. Cinemas and theaters;

D. Other private establishments catering to the general public not included in above enumeration but with capitalization of not less than Three Million Pesos (P3,000,000.00);

**SECTION 4. DEFINITION OF TERMS.** For the purpose of this ordinance, the following words, phrases and terms are used herein, shall be construed and mean as follow:

- a. **BUSINESS ESTABLISHMENTS** – refer to an establishment where businesses are conducted, goods are made or processed, or where services are rendered, including the establishments enumerated in Section 3 of this ordinance.



- b. **CLOSED-CIRCUIT TELEVISION OR CCTV** – refers to video surveillance camera used to transmit visual information to a monitor or a number of monitors and has a recording device where videos are stored for a period of time. For purposes of this ordinance, a video camera, PC camera, or an IP camera may be considered a CCTV camera if it can continuously capture, record, and store videos for at least three months.
- c. **HIGH RISK ESTABLISHMENTS** – refer to establishments or other places and spaces with business areas where there is a greater degree of susceptibility to occurrence of accidents or criminality because of the numerous financial, social or business interactions, or places and spaces where critical assets or properties are situated.

**SECTION 6. REQUIREMENT FOR BUSINESS REGISTRATION.** The owner or manager of a business establishment covered under this ordinance shall accomplish and submit a Statement of Compliance (SOC), hereto attached as Annex "A", as a requirement for the renewal or the approval of their new business permit applications.

**SECTION 7. IMPLEMENTATION AND ENFORCEMENT.** For the effective implementation of this ordinance, the Municipal Mayor is given the following specific powers and functions:

1. Promulgate the Implementing Rules and Regulations for the effective implementation of this ordinance;
2. Create a task force that shall have visitorial powers to inspect, evaluate and monitor establishments with CCTV cameras at any time so as to determine their compliance with this ordinance;
3. Identify businesses and establishments or other places and spaces which may be considered as high risk as defined under this ordinance, and
4. Perform such other duties and function as may be necessary for the implementation and enforcement of this ordinance.

**SECTION 8 - CCTV PLACEMENT.** - The covered establishments shall install or position the CCTV or video camera, in such a way that persons entering and leaving the establishments are monitored and recorded. The camera shall be placed in such angle and its lighting and recording quality adjusted to allow facial identification.

**SECTION 9 - CCTV OPERATION, RECORDING, AND STORING.** - The installed CCTV camera or cameras shall be operated, as far as practicable, for 24 hours every day and the recording thereof shall be stored for at least 90 days in a video format that enables the reproduction in digital form and viewing thereof in a computer or a common video player.

**SECTION 10 - NOTICE OF CCTV CAMERA IN THE ESTABLISHMENT.** A written notice declaring the presence of a CCTV Camera or cameras in any business or commercial establishment/s covered by this Ordinance must be posted by the owner/s in conspicuous place or places within the vicinity of the establishment.

**SECTION 11. LIMITATIONS AND PROHIBITIONS ON USE.** - The covered establishments shall ensure confidentiality of the CCTV feeds and recordings to protect the rights of individuals to privacy. Thus, the CCTV recordings, feeds, including clips or portions thereof, shall not be shared, broadcasted, shown, sent, transferred, published, or distributed by the Owner, Manager, security personnel, CCTV Operator or technician or their employees, to the public, media, social media, a group, or any other persons, except:

- a) Pursuant to an order issued by a competent court;
- b) Upon request of the Municipal Chief of Police for purpose of providing surveillance in the service of law enforcement and crime prevention or to aid an investigation in connection to a specific incident;
- c) Between themselves as may be necessary in the day to day exigency of the business and without malice or bad faith.

**SECTION 12. FINES AND PENALTIES.** Failure to comply with any of the provisions of this Ordinance is punishable with the following:

First Offense	-	Warning
2 <sup>nd</sup> Offense	-	Php 2,500.00 fine
3 <sup>rd</sup> and subsequent Offenses	-	Suspension or revocation of business permit

**SECTION 13. REPEALING CLAUSE.** All ordinances and resolutions inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 14. SEPARABILITY CLAUSE.** In the event that any of the provisions of the ordinance is declared illegal, the validity of the other provisions shall not be affected by such declaration.

**SECTION 15. EFFECTIVITY.** This Ordinance shall take effect after its publication to newspaper of local circulation for three (3) consecutive weeks and posting to conspicuous places in the municipality.

This Ordinance was enacted on motion of Honorable Jay S. Albarece and unanimously seconded by the members present.

ENACTED: January 26, 2023.

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CERTIFIED CORRECT:

  
JANICE C. BACOL

Board Secretary IV

Secretary to the Sanggunian-Designate


CERTIFIED AND ATTESTED TO HAVE  
BEEN ENACTED ON JANUARY 26, 2023:

  
**REYNALDO L. BAGAYAS, JR.**

Presiding Officer

Municipal Vice Mayor

APPROVED:

  
**ROGELIO N. QUIÑO**

Municipal Mayor