

Republic of the Philippines
Province of Cebu
Municipality of Lilo-an

SANGGUNIANG BAYAN
9th Sanggunian
Telefax: 564-2085

Minutes Of The Regular Session, Held At The Legislative Session Hall On October 8, 2012.

Present:

Absent:

DRAFT ORDINANCE NO. 2012 - 07
Introduced by: Hon. Lurgio R. Cañete

AN ORDINANCE MANDATING THE INSTALLATION OF CLOSED CIRCUIT TELEVISION (CCTV) OR VIDEO SURVEILLANCE SYSTEM IN THE PREMISES OF PRIVATE COMMERCIAL ESTABLISHMENTS WITH A CAPITALIZATION OF THREE MILLION PESOS (PHP3,000,000.00) AND ABOVE; BANKS AND OTHER FINANCIAL ENTITIES, SCHOOLS AND OTHER LEARNING INSTITUTIONS, REGARDLESS OF THE AMOUNT OF CAPITALIZATION AND PUBLIC PLACES, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES

Be it ORDAINED by the Sangguniang Bayan that:

SECTION 1. Title – This Ordinance shall be known and cited as the “CCTV Installation Ordinance of 2012”

SECTION 2. Objective. – This ordinance aims:

- a. To provide a deterrent to crimes and vandalism.
- b. To enable clear identification of miscreants within the range of the cameras.
- c. To provide continuous recording of all cameras in the system.
- d. To be a tool in the early solution in identifying the perpetrators of crimes.

SECTION 3. Definition of Terms. – The definitions and provisions contained in this section shall govern the construction, meaning and application of the following words and phrases used in this Ordinance.

- a. “Bank” means an establishment whose primary function is related to the custody, loan, exchange, issuance of money, extension of credit, or transmission of funds.
- b. “Shopping mall” means Building or series of buildings containing a mix of four (4) or more commercial establishments in a single development or on a single parcel.
- c. “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, Lilo-an 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.

- d. “Feeds” refer to the visual information transmitted by the CCTV Cameras.
- e. “Monitors” refer to the screen or other devices on which the feeds are viewed.
- f. “Schools” refer to secondary schools, colleges and universities with 1,000 or more student population.

SECTION 4. Video Surveillance System Requirement.

- a.) All banks, department stores, shopping malls, secondary schools, colleges and universities, gasoline stations, pawnshops, lending institutions, convenience stores and similar establishments are hereby require to install a Closed Circuit Television (CCTV) or video surveillance system.
- b.) The municipal government and concerned national agencies shall likewise install Closed Circuit Television (CCTV) in public buildings or places like markets, terminals, plazas or parks, main thoroughfares or in the entrance and exit points of the city as maybe recommended by the Chief of Police, Lilo-an Police Station.
- c.) Such establishments or government agencies, which installed surveillance system prior to the effective date of this ordinance, shall ensure they are in full compliance with this ordinance.
- d.) The video surveillance systems shall be maintained in proper working order at all times and shall be in operation at least during office hours, or at the option of the owner for 24 hours, seven (7) days a week, and shall meet the minimum technological standards established in this ordinance.

SECTION 5. Feeds, Video Recordings. – The establishments shall retain the continuous digital images recorded by the system for no less than thirty (30) days for review and reference purposes. After 30 days, the feeds or recordings shall be preserved and stored for safekeeping for a period of not less than one (1) year, and maybe disposed of at the lapse of such period at the option of the owner. The feeds or digital images recorded by such system maybe presented when required by a court of competent jurisdiction the local police, National Bureau of Investigation (NBI), Criminal Investigation and Detection Group (CIDG), Philippine Drug Enforcement Agency (PDEA) and the Mayor as the case maybe.

SECTION 6. Access to Recordings. – If a crime occurs or an employee believes that a crime is committed, the concerned business establishment shall immediately contact the Lilo-an Police Station through the Chief of Police or his/her duly authorized representative and provide immediate access to the media the CCTV/video recording thereof.

SECTION 7. Prohibition. – It shall be unlawful for any person to allow the unauthorized or unofficial use or viewing of any saved video-recording and the unauthorized public identification of any person or client seen in the video. The same shall not, in any manner be used to infringe with privacy of individuals; and those found in violation shall be prosecute for laws violating the right to privacy.

SECTION 8. Proper Request for Feeds. – The feeds may be used at any time to satisfy the written order of any court of competent jurisdiction or any authorized subpoena.

SECTION 9. No Broadcasting. – Subject to section 6 above, the Feeds shall not be:

- 1.) broadcast by the establishment on or through a medium other than the Monitors;
- 2.) viewed by any person/s other than employees who are authorized to view the Monitors;
- 3.) transferred to any third party, whether for profit or not; or
- 4.) recorded or otherwise stored except in accordance with this ordinance.

SECTION 10. Minimum Technological Standards. – The CCTV or video surveillance system must be capable of delineating on playback of the system the activity and physical features of persons or areas within the premises and must be able to record such images on air approved form of media.

For this purpose, it shall have at least met the following specifications:

1. Have one dedicated channel for each camera in operation;
2. Shall record at least 640x480 recording resolution level;
3. Shall have the capacity to record at fifteen frames per second, per camera. For example, a system with 10 cameras would need to have a DVR capable of recording at least 150 frames per second.
4. Shall have enough memory to retain data from all cameras for a period of thirty (30) days. One estimate has been provided that this would equal approximately 40 GB of hard drive memory per camera.
5. Possess the ability to view and retrieve data while the system remains in operation.
6. Possess the ability to produce DVD-R copy of desired data for evidentiary purposes on a format playable via Windows Player to a standard DVD player.
7. Possess the ability to time stamp and “watermark” the recorded images.
8. Shall be placed in a locked and secured location to prevent destruction or tampering.

Cameras

9. Operate with a minimum of 180 Total Vertical lines (TVL) of resolution
10. Shall have the ability to record color images during sufficient lighting and record in black and white during hours of low light.
11. Each camera shall be matched to each specific application taking into consideration:
 - 11.1. the distance to target image
 - 11.2. “Lux rating” or compatibility with the amount of light available to include excessive amounts of sunlight
 - 11.3. View angle of camera in relation to area of a desired coverage
12. Each camera shall have a clear and unobstructed view of the area of desired coverage.
13. Cameras shall be positioned to capture “Head and Shoulder” images at exits, entrance and points of sale locations.

Digital Video Recorder Monitors

14. Each system shall have a monitor that may be assessed by the Police department and other law enforcement agencies for viewing of the recorded images.
15. The monitor shall be of a Liquid Crystal Display (LCD) design with a screen no smaller than fifteen diagonal inches.

Power Supply

16. Each system shall have a dedicated power source to prevent intentional or accidental deactivation and preferably provided with Uninterrupted power supply (UPS)

SECTION 11. Minimum Coverage Standards, Site Assessment, Signage.

- a. The video surveillance system shall have at a minimum, separate cameras dedicated to each register/check-out stand, entrance/exit, and parking lot or area designated for customer and or employee parking use.
- b. The placement of cameras included in video surveillance systems required under this Ordinance shall be approved by the Lilo-an Police Station.
- c. The Chief of Police or his/her designee shall conduct an assessment of each site required to install a video surveillance system prior to installation, and upon approval notice which will be placed on plain view inside the premises. This approval notice will also inform customers and employees of the existence of the video surveillance system. a separate notice of the video surveillance system, in a form acceptable to the city police Director, shall be placed on the parking area.

SECTION 12. Inspection. – The video surveillance system shall be subject to regular inspection by the Chief of Police or his/her assignee, who is authorized to inspect at reasonable times any video surveillance system to determine if the system conforms with this Ordinance. If the video surveillance system does not so conform, the concerned establishment must take immediate steps to bring the system back into conformance.

SECTION 13. Enforcement; Civil Penalties.

- a. Establishments subject to the mandatory requirements of this Ordinance shall have six (6) months from its effective date to comply with the regulation set forth in this Ordinance.
- b. The violation of any provision of this Ordinance by any owner or principal operator of establishments subject to this Ordinance shall result in a notice of violation from the Chief of Police or his/her designee. The Chief of Police is authorized to investigate all alleged violations. Violators shall have thirty (30) days after receipt of the notice to provide proof of compliance to the Chief of Police. If the violation continues after the 30-days period, the Chief of Police or his/her designee shall issue a citation against the violator and the violator shall pay a civil penalty not to exceed Two Thousand Five Hundred Pesos (Php 2,500.00). The Chief of Police is hereby authorized to bring a civil action in any court of competent jurisdiction to recover such civil penalties.
- c. In addition to the foregoing, the violation of any provision of this ordinance shall be and is hereby declared to be a public nuisance and contrary to the public interest and shall, at the discretion of the Chief of Police, create a cause of action of injunctive relief and recommend cancellation or non-renewal of business permit issued.
- d. For the purpose of this ordinance, each day that a violation continuous shall be a separate violation.

SECTION 14. Appeal Process.

- a. Any establishment or agency found to be in violation of this ordinance, the Chief of Police or his/her designee shall have the right to a hearing before the Municipal Mayor or his/her designee.
- b. The Chief of Police or his/her designee shall give the applicant written notice of the violation. The notice shall set forth the grounds for the violation, and shall inform the owner or principal business operator of the establishment or

agency head that he/she has ten (10) days from the date of mailing of the notice of file a written request for a hearing.

- c. Within ten (10) days of mailing of the written notice of violation by the Chief of Police or his/her designee, the owner or principal business operator or agency head may appeal by requesting a hearing before the Municipal Mayor. Such a request must be made in writing and must set forth the specific grounds for the appeal. If the applicant files a timely request for a hearing, the Municipal Mayor or his/her designee shall set a time and place for the hearing within ten days thereafter. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issue, to be represented by counsel, and to confront and cross-examine any witness against them. The decision of the Municipal Mayor or his/her designee to deny the application shall be in writing and shall be rendered within one week of the hearing.

SECTION 15. Separability Clause. – If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court with competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 16. Effectivity Clause. – This ordinance shall take effect after fifteen (15)days following its publication in a newspaper of general circulation.

ENACTED: _____.