

Sangguniang Panglungsod

ORDINANCE NO. 11-046

AN ORDINANCE REQUIRING " COMMERCIAL OR BUSINESS ESTABLISHMENTS OPERATING IN MUNTINLUPA CITY TO INSTALL CLOSED CIRCUIT TELEVISION SYSTEM CAMERAS (CCTVS) OR VIDEO MONITORING DEVICES, WITHIN THEIR PREMISES AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

- Sponsored:
- Hon. Coun. Alexander B. Diaz*
 - Hon. Coun. Atty. Raul R. Corro*
 - Hon. Coun. Atty. Patricio L. Boncayao, Jr.*
 - Hon. Coun. Bal Niefes*
 - Hon. Coun. Allen F. Ampaya*
 - Hon. Coun. Ringo A. Teves*
 - Hon. Coun. Luvi P. Constantino*
 - Hon. Coun. Robert A. Abas*
 - Hon. Coun. Engr. Neptali S. Santiago*
 - Hon. Coun. Joselito V. Arevalo*
 - Hon. Coun. Robert P. Baes*
 - Hon. Coun. Elmer S. Espeleta*
 - Hon. Coun. Rafael T. Sevilla*
 - Hon. Coun. Vergel C. Ulanday*
 - Hon. Coun. Adorado P. San Pedro*
 - Hon. Coun. Eulogio DS. Dioko, II*

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

WHEREAS, Section 447(ii) of the same Code, provides that, "**the Sanggunian as the legislative body xxx, has the power to enact ordinances 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, on October 4, 2004 the Sangguniang Panlungsod of Muntinlupa enacted Ordinance No. 04-011, entitled, an ordinance requiring owners of banks doing business within the city of Muntinlupa to provide an alarm system attached to or connected with the nearest Philippine Police Station;

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, to encourage the adoption and use of CCTV systems throughout the city, and in order to intensify the City's drive to solve criminality and to preserve visual footage as evidence, this august body deems it proper to institutionalize the use of CCTV systems in business establishments within Muntinlupa City;

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SECTION 5. Access to recordings. If a crime has occurred, or the operator, employee or owner of the establishment has reason to believe a crime has occurred and has been recorded by the surveillance system, the operator, employee or owner of the establishment shall immediately contact the police, and shall provide access to the pertinent recordings to the police and other investigators. The captured video footage or image may be used at any time to satisfy the written order or subpoena of any court or body with competent jurisdiction.

SECTION 6. Prohibition. The viewing of recorded or captured video footage or images shall be made with due respect for the privacy of individuals. It shall thus be unlawful for any person to allow the unauthorized viewing, recording, dissemination use or even broadcasting of captured video footage or images, and the unauthorized public viewing of unidentified persons, clients or victims. Those violating this prohibition shall be prosecuted for violations of laws on the right to privacy and all other related laws.

SECTION 7. Period of Compliance. All establishments are hereby given a period of ninety (90) days from the date of approval of this Ordinance, to comply with the requirements herein provided. However, establishments who have **already installed CCTV** prior to the effectivity of the ordinance shall be given a period of four (4) months or one hundred twenty (120) days to conform with the requirements contained herein.

SECTION 8. Implementing Agencies/Office. The implementing agencies/offices to execute this ordinance are the following:

- a) **Business Permit and Licensing Office (BPLO);**
- b) **Philippine National Police (PNP);**
- c) **ALL BARANGAYS within the city;**

SECTION 9. Penalties. Failure to comply with the provisions of this Ordinance shall subject the owners/manages/officers of said establishment to the following penalty:

- a) **First Offense** – warning with condition that the establishment shall install CCTV within **thirty (30) days;**
- b) **Second Offense** – fine of **Two Thousand Five Hundred Pesos (Php2,500.00)** shall be paid within **thirty (30) days** from receipt of written notice.
- c) **Third Offense** – fine of **Five Thousand Pesos (Php5,000.00)** after **thirty (30) days** from date of receipt of written notice and revocation and cancellation of the business permit to operate.

SECTION 10. Implementing Rules and Regulations (IRR) – The Executive Department through the Business Permit and Licensing Office (BPLO) shall formulate the **Implementing Rules and Regulation (IRR)** relative to this ordinance within **Thirty (30) days.**

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SECTION 11. 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 12. 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 13. Effectivity Clause. This ordinance shall take effect **ten (10)** days after its publication in general circulation.

ENACTED, by the **6th Sangguniang Panlungsod of Muntinlupa** this **12th** day of **September, 2011**, on its **50th Regular Session**.

CONCURRED:

DISTRICT I:

COUN. ATTY. RAUL R. CORRO

Member

COUN. ATTY. PATRICIO L. BONCAYAO, JR.

Member

COUN. BAL NIEPES

Member

COUN. ALEXANDER B. DIAZ

Member

COUN. ALLEN F. AMPAYA

Member

COUN. RINGO A. TEVES

Member

DISTRICT II:

COUN. LUVI P. CONSTANTINO

Member

COUN. ROBERT A. ABAS

Member

COUN. ENGR. NEPTALI S. SANTIAGO

Member

COUN. JOSELITO V. AREVALO

Member

COUN. ROBERT P. BAES

Member

COUN. ELMER S. ESPELETA

Member

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COUN. RAFAEL T. SEVILLA
Member


COUN. VERGEL C. ULANDAY
Member

Ulanday

COUN. ADORADO P. SAN PEDRO
Sectoral Representative
President
Association of Barangay Captains



COUN. EULOGIO D.S. DIOKO
Sectoral Representative
President
Federation of Sangguniang Kabataan

ABSENT:

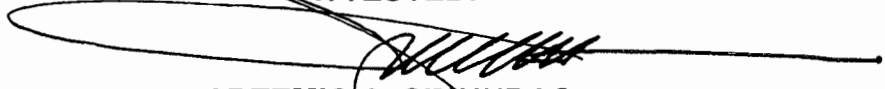
COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. DAN HUBERT A. BARLIS
Member


I HEREBY CERTIFY, as to the correctness of the foregoing *Ordinance*.


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ALDRIN L. SAN PEDRO
City Mayor
Date: _____

Norie/6th SP

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Sevilla

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