

ORDINANCE NO. 14-036

AN ORDINANCE AMENDING ORDINANCE NO. 11-046, ENTITLED, "AN ORDINANCE REQUIRING COMMERCIAL OR BUSINESS ESTABLISHMENTS OPERATING IN MUNTINLUPA CITY TO INSTALL CLOSED CIRCUIT TELEVISION SYSTEM OR CAMERAS (CCTVS) OR VIDEO MONITORING DEVICES, WITHIN THEIR PREMISES AND PROVIDING PENALTIES FOR VIOLATION THEREOF."

Sponsored by: **Hon. Coun. Atty. Patricio L. Boncayao, Jr.**
Hon. Coun. Stephanie G. Teves
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ringo A. Teves
Hon. Coun. Alexander B. Diaz
Coun. Ma. Dhesiree G. Arevalo
Hon. Coun. Luvi P. Constantino
Hon. Coun. Engr. Neptali S. Santiago
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas
Hon. Coun. Robert P. Baes

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, on 12th day of September, 2011, on its 19 Regular Session the 6th Sangguniang Panlungsod approved Ordinance No. 11-046;

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;

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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;

NOW THEREFORE BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panlungsod of Muntinlupa in session assembled that:

SECTION 1. *Title.* An Ordinance Amending Ordinance No. 11-046, Entitled, "An Ordinance Requiring Commercial Or Business Establishments Operating In Muntinlupa City To Install Closed Circuit Television System Or Cameras (Cctvs) Or Video Monitoring Devices, Within Their Premises And Providing Penalties For Violation Thereof."

SECTION 2. Coverage – The installation of Closed Circuit Television (CCTV) or video surveillance system in business establishments within the territorial jurisdiction of Muntinlupa City is hereby required. This amended Ordinance shall be implemented in the following covered business establishments:

- 1) Banks
- 2) Shopping Malls
- 3) Gasoline Refilling/Service Stations
- 4) Super Markets
- 5) Money Changer
- 6) 24-hour convenience stores
- 7) Schools including colleges and universities
- 8) Fast Food/Quick Service Restaurants
- 9) Car dealership
- 10) High-risk and/or particularly crime-vulnerable establishments which operate transact and/or deal with any of the following:
 - a) Handle extensive monetary transactions in the regular course of business amounting to the exchange of foods and/or services for daily average amount of more than Fifty Thousand (Php50,000.00); or
 - b) Transact an average daily basis with more than Two Hundred (200) clients;

11) The following business establishments are considered high risks:

- a) Jewelry and Pawnshop
- b) Money Courier and Money Wire Transfer
- c) Hotels, motels, hospitality establishments and the like,
- d) Games and Amusements (PAGCOR) places;

- e) Night Clubs, Super Clubs, KTV Bars, Resto Bars and the like;
- f) Health Clubs, SPA and Massage Parlors;
- g) Other business establishments considered high risk;

SECTION 3. *Period of Compliance.* All establishments are hereby given a period of ninety (90) days from the date of approval of this **amended** Ordinance, to comply with the requirements herein provided. However, establishments who have already installed CCTV prior to the effectivity of the **amended** ordinance shall be given a period of four (4) months or one hundred twenty (120) days to conform with the requirements contained herein.

SECTION 4. *After 120 days the BPLO shall require the new applicants for business permits or renewal of business permits as a condition precedent for issuances of business permits or the renewal thereof before the same are issued. From January 1, 2015 no business permits or renewal of business permit shall be issued without compliance of this ordinance.*

SECTION 5. *Definition of Terms* – for the purpose of this amended ordinance the following words, phrases and terms as used herein, shall be construed and mean as follows:

- a) ***High Risk Establishment*** – classified by the Business Permits and Licensing Office during registration and renewal of recruits as establishments that are highly susceptible or vulnerable to crime;
- b) ***Close Circuit Television (CCTV)*** – is the use of video cameras to transmit a signal to a specific place on a limited set of monitors;

SECTION 6. *Guidelines for the installation, operation and maintenance of CCTV in business establishments* – The following shall be the guidelines for the installation, operation, maintenance and upkeep of Video Surveillance System or CCTV in business establishments:

- 1) Cameras shall be installed by authorized and competent installer in strategic places and at heights free from human intervention; installation of the cameras for business establishments should be strategically installed to maximize full coverage and possibly free from natural human intervention.
- 2) Video surveillance system or ***Close Circuit Television (CCTV)*** shall be maintained and installed inside and outside the premises where people normally transact business.



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- 3) For high risks business establishments, an additional one (1) fixed focus IP camera shall be dedicated to the cashier's area of operations with the following specifications:

- a) **Infrared Nigh Vision capability with a minimum distance of ten (10) meters;**
- b) **Approximate horizontal angle view of 47 to 57 degrees;**
- c) **Focal length range of 208mm to 4.0 mm or ¼ CCD chip;**
- d) **Minimum of 640 x 480 pixels with fifteen (15) frames per second for best resolution.**

- 4) For other establishments engaged in services which require privacy, installations shall be limited to the public access and common areas, such as hallways/stairways, lobbies, reception areas, waiting lounges, and pools and the like;

SECTION 7. The **Business Permit and Licensing Office (BPLO)/Philippine National Police (PNP)/all barangays** shall make inspection to see to it that the installed **Close Circuit Television (CCTV)** cameras are functional and useable for the purpose of this ordinance.

SECTION 8. Exemption – Business establishments operating and maintaining existing and already complied to have Close Circuit Television Systems shall be exempt from the coverage of this Ordinance.

SECTION 9. Separability Clause. If for any reason, any section of this amended Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 10. All provisions and sections in Ordinance No. 11-046 not changed, amended or altered shall be valid and enforceable. It is understood that Section 10, (**requiring the formulation of Implementing Rules and Regulations**) of Ordinance No. 11-046 is already deleted.

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

ENACTED, by the 7th **Sangguniang Panlungsod of Muntinlupa**, this 6th day of **January 2014**, on its 21st Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

COUN. STEPHANIE G. TEVES
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. RINGO A. TEVES
Member

COUN. ALEXANDER B. DIAZ
Member

DISTRICT II:

COUN. MA. DHESIREE G. AREVALO
Member

COUN. LUVI P. CONSTANTINO
Member

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. RAFAEL T. SEVILLA
Member

COUN. VERGEL C. ULANDAY
Member

COUN. ROBERT A. ABAS
Member

COUN. ROBERT P. BAES
Member

ABSENT:

COUN. BAL NIEFES
Member

COUN. ATTY. RAUL R. CORRO
Member

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. ELMER S. ESPELETA
Member

COUN. CELSO C. DIOKO
Sectoral Representative
President
Association of Barangay Captains

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


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City MayorDate: JAN 20 2014Norie/7th SP