Quezon City
20th City Council

PO20CC-285

58th Regular Session

ORDINANCE NO. SP-2695, S-2018

AN ORDINANCE AMENDING ORDINANCE NO. SP-2139, S-2012, OTHERWISE KNOWN AS "AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY TO INSTALL CLOSED CIRCUIT TELEVISION SYSTEM (CCTV) AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF" PROVIDING FOR THIS PURPOSE, THE MINIMUM TECHNICAL STANDARDS AND SPECIFICATIONS AS PER DILG MEMORANDUM CIRCULAR NO. 2014-119.

Introduced by Councilors ANTHONY PETER D. CRISOLOGO and RANULFO Z. LUDOVICA.

Co-Introduced by Councilors Ramon P. Medalla, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Estrella C. Valmocina, Roderick M. Paulate, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Franz S. Pumaren, Eufemio C. Lagumbay, Raquel S. Malañgen, Irene R. Belmonte, Ivy Xenia L. Lagman, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Eric Z. Medina and Ricardo B. Corpuz.

WHEREAS, City Ordinance No. SP-2139, S-2012 was enacted to encourage the adoption and use of CCTV systems in business establishments within the territorial jurisdiction of Quezon City, and in order to intensify the City's effort to solve criminality, and to preserve visual footage as evidence;

WHEREAS, the Department of the Interior and Local Government (DILG), issued memorandum circular no. 2014-119 providing the minimum technical specifications to be required of CCTVs to be installed in certain business establishments in accordance with Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991;

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WHEREAS, it is an accepted and proven fact that installation and operation of Closed Circuit Television (CCTV) cameras, as a growing advanced surveillance and security technology worldwide, provide business establishments, schools, government offices and homes, among others, the benefits of:

a) Deterring disorder and violent crimes of potential offenders;
b) Combating theft, burglary and other property crimes;
c) Providing a safer environment thereby giving "peace of mind" and "reduced fear of crime" feelings to business owners, employees, workers, students, and the public.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF ORDINANCE – This Ordinance shall be known as: An Ordinance Mandating Business Establishments Operating Within The Territorial Jurisdiction of Quezon City to Install Closed Circuit Television (CCTV) System and Prescribing Penalties for Violations Thereof.

SECTION 2. SCOPE AND APPLICATION – The following business establishments are required to install CCTVs:

2.a. Banks, financial institutions, pawnshops, money lenders, money remittance services, money changers, and the like;

2.b. Business establishments that are part of a national chain 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;

2.c. Shopping malls, shopping centers, supermarkets, movie houses, theaters, hospitals, and medical facilities, ports/ airports/ public transport terminals, places of entertainment, schools, and the like which draw a considerable number of customers/ patrons;

2.d. Car dealerships, gasoline/ fuel refilling /service stations; and

2.e. Other covered establishments such as high-risk and/or particularly crime-vulnerable establishments which operate, transact, and/or deal with any of the following, whichever will apply:

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2.e.i. *Handle extensive monetary transactions as a regular course of business, amounting to the exchange of goods and/or services for a daily average amount of more than Fifty Thousand Pesos (Php50,000.000); or*

2.e.ii. *Transact on an average daily basis with more than two hundred (200) clients.*

SECTION 3. PRESERVATION OF VIDEO RECORDINGS – The owner(s) of the business establishments shall preserve the camera recorded media for at least a period of one (1) year from its recording. It shall be unlawful to use or view any saved or archived video recording and unauthorized disclosure or identification of the identity of any person seen on video other than the complainant or victim(s) without the order of a court of competent jurisdiction.

The owners of said business establishment shall make available the camera recordings to the authorities engaged in the crime investigation upon written request stating the purpose thereof.

SECTION 4. MINIMUM TECHNICAL SPECIFICATIONS AND INSTALLATION GUIDE – The CCTV or Video Surveillance System must be capable of delineating on playback the activity and physical features of individuals and areas within the premises, and must be able to record such images on digital, optical or magnetic media.

4.a. *Minimum Technical Specifications – the CCTV system to be installed shall meet the following minimum specifications:*

CAMERA:
– *Minimum of 2 mega pixel Camera Resolution;*
– *Must be able to capture video footages at 0.5 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 0.1 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.*

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VIDEO RECORDER:
- Minimum of four (4) camera input; - Minimum of 720P video resolution; - 25-30 frames per second (FPS) recording per camera; - Should have Hard Disk Drive/s enough to store video recording for all cameras 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 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. – Should have centralized power supply for the video recorder and cameras; – Should have appropriate Uninterruptible Power Supply (UPS) to provide standard and reasonable back-up power to the Video Recorder and its cameras. – Standard Compression: H.264, MJPEG – ONVIF (Open Network Video Interface Forum) – Network Accessibility – Smart Phone and/or Tablet support for on-site viewing – POE (Power Over Ethernet) enabled

4.b. 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.

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SECTION 5. MINIMUM COVERAGE – All establishments mentioned under Section 2 hereof shall be required to strategically install, maintain, and operate CCTV's or video surveillance system as to afford a full coverage of the following:

5.a. From the interior of the establishments:

5.a.i. All entrances/exits;

5.a.ii. The center of business activity in the establishment (including the tellers, cashiers, cash registrars, sales counters, or areas leading to the vault/safety box) according to the nature of business/ operations of the establishment.

5.b. From the exterior of the establishment (when the establishment is not located inside a mall or building which has its own exterior cameras):

5.b.i. All entrances/exits;

5.b.ii. 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;

5.b.iii. Parking lots and drive-through lanes (when applicable).

SECTION 6. MONITORING AND ACCESS TO RECORDINGS

6.a. 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, 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 captured video footage or images may be used at any time to satisfy the written order of a court of competent jurisdiction.

6.b. Monitoring of CCTVs – the CCTVs or Video Surveillance Systems of every establishment shall be monitored at all times in order to immediately report crime incidents to the nearest Philippine National Police Station and/or Barangay if deemed necessary.

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SECTION 7. PROHIBITION – The viewing of recorded or captured video footage or images shall be made with due respect to the privacy of individuals.

It shall 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 in accordance with R.A. No. 10173.

SECTION 8. ACCOUNTABLE OFFICES – The Department of Public Order and Safety (DPOS) shall be responsible for the verification and determination of the relevant establishments' compliance with the directives of this Ordinance. The DPOS shall specify when compulsory inspection of the installed CCTV's shall be conducted before the necessary clearance or certification therefor may be issued, which clearance or certification shall be a mandatory requirement for the issuance or renewal by the Business Permits and Licensing Office (BPLO) of a business permit or license. The DPOS 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 DPOS shall seek the advice and assistance of the local Chief of Police or his duly authorized representative.

SECTION 9. IMPLEMENTING OFFICES – The Department of Public Order and Safety (DPOS) is mandated to make the Implementing Rules and Regulations (IRR), and the Business Permits and Licensing Office (BPLO), as well as the Information and Technology Department Office (ITDO) is hereby tasked to assist in the implementation of the IRR.

SECTION 10. EXCEPTIONS – All establishments which have existing and compliant CCTV's and/or security video surveillance systems based on the requirements under Ordinance SP-2139, S-2012 shall be exempted from this Ordinance, but will be given a 1-year depreciation period of their previously purchased equipment before being required to comply with the minimum specifications required by this Ordinance.

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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 Five Thousand Pesos (Php5,000.00) shall be imposed on any establishment in operation found to be in violation of this Ordinance.

For purposes of this Ordinance, after thirty (30) days from the initial findings of non-compliance, continued or subsequent failure to comply with the provisions of this Ordinance shall constitute ground for the suspension, revocation, or cancellation of the establishments' business permit.

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

SECTION 13. PERIOD OF COMPLIANCE – All establishments are hereby given a period of two (2) months after the publication of the Implementing Rules and Regulations (IRR) in a newspaper of general circulation, to comply with the requirements herein provided.

SECTION 14. SEPARABILITY CLAUSE – If for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provision thereof, which are not affected thereby, shall continue to be in full force and effect.

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SECTION 15. REPEALING CLAUSE – All Ordinances, Rules and Regulations, or parts thereof, in conflict with, or inconsistent with any of the provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 16. EFFECTIVITY CLAUSE – This Ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation.

ENACTED: March 12, 2018.

MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 24 APR 2018

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 12, 2018 and was PASSED on Third/Final Reading on March 19, 2018.

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Atty. JOHN THOMAS S. ALFEROS III
City Secretary