


15<sup>TH</sup> SANGGUNIANG PANLUNGSOD

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TANGGAPAN NG SANGGUNIANG PANLUNGSOD NG NAGA	
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AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF NAGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

SPONSORS: HON. ALLAN REIZ C. MACARAIG, City Councilor  
HON. YUAN ANGELO P. PACAO, City Youth Councilor

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

WHEREAS, Sections 447 and 458 of the of said Republic Act 7160 provide that the Sangguniang Panlungsod shall enact ordinances for the general welfare of the city and its inhabitants pursuant to the abovementioned Section 16 of said law, and in this regard, enact and approve ordinances relative to the: (i) maintenance of peace and order in the city, (ii) suppression of lawlessness therein, and (iii) authorization of the issuance of permits or licenses upon conditions and for such purposes intended to promote the general welfare of the inhabitants of the city, regulating thereby any business which does not require government examination within the city and the conditions under which the license for said business may be issued or revoked;

WHEREAS, law enforcement agencies in the country have already proven that Closed Circuit Televisions (CCTV) are among the most effective tools in crime deterrence, prevention, detection and solution since there is a video recording which can be used in addition to the testimonies of witnesses;

WHEREAS, in order to intensify the City's drive to deter, prevent, detect, and solve criminality, and to preserve video recording as evidence, this August Body deems it proper to require the use of CCTV systems in business establishments within;

WHEREAS the Department of the Interior and Local Government, through the Philippine National Police Anti-Cybercrime Group, has conducted a study as to the minimum technical specifications to be required of CCTVs to be installed pursuant to this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF NAGA IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF ORDINANCE - This ordinance shall be known as: **THE CCTV ORDINANCE OF NAGA CITY.**

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

- a. Financial establishments such as Banks, pawnshops, money lenders, money remittance services, money changers, and others with similar transactions;
- 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, convenience stores, grocery stores, drug stores, etc.
- c. City Hall, Barangay Hall, and other government or public buildings delivering public service;
- d. Hotels, air bnb accommodation, apartelles, and similar establishments;
- e. Shopping malls, shopping centers, supermarkets, wet markets or palengke, and other similar establishments.
- f. Hospitals, laboratories, clinics, and other medical facilities.
- g. Restaurants and cafes;
- h. Subdivision including urban poor or housing settlements;



- i. Movie theaters or houses, carnival, perya, arcades, internet cafes, and other places of entertainment that draw in a considerable number of customers.
- j. Concerts or other crowded cultural or artistic events such as theater, musical, or exhibits for the whole duration of the show.
- k. Public transportation terminals, parking space business, car wash business, and other similar establishments that cater to a large number of vehicles.
- l. Car dealerships, gasoline/fuel stations, vehicle maintenance/service/repair stations including tire shops.
- m. Educational institutions including tutorial hubs.
- n. Places where liquor and alcoholic drinks are allowed to be served and consumed.
- o. Basketball courts, sports centers, fitness gym, swimming pools catering to the public, firing range, and similar sports and fitness venues.
- p. Cockpits;
- q. All business establishments located along national highways and major thoroughfares within the territorial jurisdiction of the City of Naga except sari-sari stores, small enterprises, ambulant vendors, and pop-up businesses which are temporary in nature.
- r. Other business establishments or places which the Technical Working Group (TWG) deems proper to be included in this list considering the nature of business and potential risks in their respective areas. Any activity, establishment, or event which may be added to the foregoing list will have a grace period of 45 days from the approval of the recommendation for inclusion. No recommendation for inclusion shall be valid without a public consultation duly held for the matter.

The CCTV shall be maintained in proper working order at all times, shall be in continuous operation, and shall meet the minimum technical specifications set by this Ordinance.

**SECTION 3. MINIMUM TECHNICAL SPECIFICATIONS** - The CCTV system to be installed must meet the following minimum specifications:

**CAMERA**

- High-Definition Analog or at least 2 Megapixel Digital Camera
- 0.1 Lux Minimum Illumination
- 2.8mm to 3.6mm Focal Length
- Auto-Iris Focus Lens (fixed/vari-focal)
- 1/30s to 1/50,000s Shutter Speed
- 50-meter Infrared Range
- 120dB Wide Dynamic Range
- Pan and Tilt adjustment of 0 degrees to 180 degrees and Rotate adjustment of 0 degrees to 360 degrees
- Outdoor cameras must be vandal-proof with IP 66 Weatherproof Casing

**VIDEO/AUDIO INPUT**

- Hybrid Type (accepts Digital and Analog signal), Minimum of four (4) camera input
- Video and Audio Stream Input
- H.264 (Advanced Video Coding) Video Compression and G.711u Audio Compression
- 30 frames-per-second (FPS) recording capability per camera
- Analog High-Definition Input (1080p@25FPS, 1080p@30FPS, 720p@25FPS, 720p@30FPS)
- Hard Disk Drive storage system with enough capacity to accommodate the prescribed retention period below or a capacity approximately sufficient for 40 days of recording for DVR with 4 cameras at 1080p)
- Time stamping feature

**VIDEO/AUDIO OUTPUT**

- 720p or 1080p resolution
- 30 FPS
- At least 10 Megabits per second (Mbps) Video Bitrate and at least 64 Kilobits (Kbps) Audio Bitrate

**OTHER SPECIFICATIONS**



- At least two (2) cameras covering the areas of transaction and risks. When possible, one camera must be facing the street/entrance, with the actual number of cameras to depend on the size of the establishment and nature of business, as determined by the Public Safety Office.
- Centralized power supply for the Video Recorder and Cameras
- Uninterruptible Power Supply (UPS) to provide standard and reasonable back-up power to the Video Recorder and Cameras

SECTION 4. INSTALLATION GUIDE - The following Installation Guide is recommended to be followed:

#### INSTALLATION

- Cameras must be installed at a secure location with maximum area of coverage of entrances/exits and areas of transaction or risk. Make sure that there will be no blind spots.
- Video recorders must be mounted at secure/concealed locations to protect them from deliberate tampering
- Should not be installed in an area which is not well-lit at night and must be in an area with consistent lighting to pick-up identifying details, such as facial features
- Consider the angle of the cameras to avoid lens flare and backlighting
- Determine the following objectives and recording distance when installing CCTV Cameras: General Surveillance = 10 feet or greater, Facial Recognition = 5 to 7 feet, Plate Recognition (for Parking Lots) = 3 to 4 feet
- When possible, a back-up system should be installed alongside the CCTV system to ensure that data is kept secure in the event of physical harm to the storage devices such as fires, earthquakes, any form of deliberate tampering, and other similar situations
- When possible, dummy CCTV cameras should also be placed in a conspicuous area to deter possible criminal acts and protect the cameras
- Signages indicating that the establishment/area is being monitored by a CCTV System must also be installed in areas that visible and obvious to the public and must use clear, plain, and concise language
- At least one staff or employee should be trained to operate the CCTV System.

SECTION 5. PRIVACY – All the establishments required to install CCTVs under Section 2 hereof shall comply with the following guidelines on privacy:

5.1 Establishments covered shall strictly comply with the National Privacy Commission's guidelines on the use of CCTV Systems, as detailed in **NPC Advisory no. 2024-02**, or any other applicable laws and regulations from the National Privacy Commission which may be hereafter promulgated.

5.2 Video footage obtained through the CCTV Systems shall be retained for a minimum period of thirty (30) days in order to allow investigating authorities to properly retrieve and prepare back-ups of the data relevant to any incidents that occur. However, the period of retention may be extended upon written order from a court of law, the Office of the City Prosecutor, or the Office of the City Mayor.

SECTION 6. MINIMUM COVERAGE - All the establishments mentioned under Section 2 hereof shall be required to install CCTVs as to afford a full coverage of the following:

a. From the interior of the establishment:

- (i) All entrances/exits;
- (ii) The center of business activity in the establishment (including the tellers, cashiers, cash registrars, sales counters, or areas leading to the vault/safe) according to the nature of business/operations of the establishment.

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

- (i) All entrances/exits;
- (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;
- (iii) Parking lots and drive-through lanes (when applicable).

SECTION 7. IMPLEMENTING OFFICES - The Public Safety Office shall be responsible for the verification and determination of the relevant establishments' compliance with the directives of this Ordinance. The PSO shall specify when compulsory inspection of the installed CCTVs 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 PSO 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 PSO shall seek the advice and assistance of the local Chief of Police or his duly authorized representative.

**SECTION 8. 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 and has been recorded by the CCTV, 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 operator, employee or owner of the business establishment shall also make available the camera recordings to the law enforcement authorities engaged in criminal investigation upon written request of the authorized or designated officer thereof with the particular time and day covered by the request therein specified.

The captured video footage or images may be used at any time to satisfy the written order or subpoena of any court or body with competent jurisdiction.

**SECTION 9. PROHIBITION** - The viewing of recorded or captured video footage or images shall be made with due respect to the privacy and dignity of individuals.

**SECTION 10. 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 business establishment in operation found to be in violation of this Ordinance. For purposes of this Ordinance, each day that a violation continues shall be a separate violation.

**SECTION 11. APPEAL PROCESS** - Any establishment found to be in violation of this Ordinance by the PSO may appeal the findings thereof to the Office of the Mayor within five (5) working days from being notified of its violation by the PSO, furnishing a copy of the appeal to the PSO prior to the filing thereof with the Office of the Mayor.

Within five (5) working days from receipt of the copy of the appeal, the PSO shall submit its answer to the Office of the Mayor, furnishing the business establishment a copy of the same on even date. Should the PSO 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 Mayor shall decide on the matter within five (5) working days from receipt of the answer of the PSO or from the day the period of filing therefor has lapsed, giving due notice to the parties involved. The decision of the 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 12. COMPLIANCE** - Businesses covered by the scope of this Ordinance shall have a period of forty-five (45) days from the effectivity of the same within which to comply with the directives hereof.

**SECTION 13. 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 14. 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 15. EFFECTIVITY CLAUSE** - This ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.