



Republic of the Philippines
CARAGA Region XIII
Province of Surigao del Norte
Municipality of San Benito



Office of the 10th Sangguniang Bayan

AN EXCERPT FROM THE MINUTES OF THE 18th REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN MEMBERS OF THE MUNICIPALITY OF SAN BENITO, SURIGAO DEL NORTE HELD AT SANGGUNIANG BAYAN SESSION HALL ON MAY 06, 2024 AT EXACTLY 9:00 O' CLOCK IN THE MORNING

PRESENT:

Hon. Delfin P. Labola	SB Member /Presiding Officer Pro-Tempore
Hon. Puyat P. Sumando	Sangguniang Bayan Member
Hon. Charlito E. Mendavia	Sangguniang Bayan Member
Hon. Felix B. Sumando Sr.	Sangguniang Bayan Member
Hon. William A. Polican	Sangguniang Bayan Member
Hon. Jayrom P. Caballejos	Sangguniang Bayan Member
Hon. Ruella T. Rulete	Ex-Officio / LNMB President
Hon. Aira Mae C. Galano	Ex-Officio / SKF President

ABSENT:

Hon. Wellybel A. Requirme	Municipal Vice Mayor/ Acting Mayor
Hon. Cindy R. Agati	SB Member / On Official Leave
Hon. Aldrein C. Glimane	Sangguniang Bayan Member

MUNICIPAL ORDINANCE NO. 148-24 Series of 2024

“AN ORDINANCE REQUIRING ALL BUSINESS ESTABLISHMENTS, SCHOOLS, AND GOVERNMENT OFFICES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF SAN BENITO, SURIGAO DEL NORTE TO SET-UP, INSTALL AND MAINTAIN AND/OR OPERATE 24/7 CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM WITHIN THEIR PREMISES, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES”

WHEREAS, due to challenging economic condition, there is a threat of criminal actions such as thefts, robberies in big and small business establishment and even in schools and even in the main thoroughfares/street of the locality posing danger to life, limb and properties of our constituents;

WHEREAS, to address such threat, there is a need to adopt measures to deter elements that will perpetrate acts that disturbs peace and order and order in our community;

WHEREAS, the installation of the closed-circuit television (CCTV) in all business establishments as well in schools and government offices is an effective safeguard against the perpetration of crimes an effective tool to be utilized during the conduct of investigation by the law enforcers.

WHEREFORE, on motion of Sangguniang Bayan Member William A. Polican duly seconded by Sangguniang Bayan Member Felix B. Sumando, Sr;

BE IT ORDAINED, by the 10th Sangguniang Bayan of San Benito, Siargao Island, Surigao del Norte in session assembled, that:

Section 1. Title This Ordinance shall be known as the Municipal CCTV Ordinance of 2024.

Section 2. Objectives This Ordinance aims to:

- a. Maintain peace, order and security within the territorial jurisdiction of the municipality of San Benito;
- b. Provide immediate and steadfast public safety services to the constituent; and
- c. Enhance the capability of local police and other law enforcement agencies in the conduct of crime investigation, prevention, detection, and solution with the use of captured recording;

Section 3. Definition of Terms. The following terms shall be referred and applied as follows;

- a. **Business Establishments**- all establishments registered with the municipal permits and licensing office with the capital required under Section 5 hereof;
- b. **Closed-Circuit Television (CCTV)** - is a television (TV) system in which signals are monitored, primarily for surveillance and security purposes CCTV relying on strategic placement of cameras, and observation of the camera's input on monitors somewhere for 24-hour/7 days a week recording.

Section 4. Prohibited Acts. The following acts are punishable under this Ordinance:

- a. Establishing a business or the renewal of business permit without the required CCTV system specifications, when such are covered by this ordinance;
- b. Intentionally, turning off the CCTV without fault of the owner, force majeure, and similar acts and occurrences;
- c. Setting up, installing, fake/false/deceptive CCTV; and
- d. The owner, manager, or officer or representative of the establishment, shall prohibit the use, viewing, copying, disclosure, or publication of said video feeds except when requesting by the person captured by the recording or the police officer and other law enforcement agencies to aid the conduct of an investigation, inquiry, and similar activities.

Section 5. Scope of this Ordinance.

- a. Business establishment classified as corporation and partnership with a capital stock of at least One Hundred Thousand Pesos and 00/100 (P100,000.00) and above;
- b. Business establishment registered or classified as sole proprietor and shall have at least Thirty Thousand Pesos and 00/100 (P30,000.00) capitalization;
- c. All public and private educational and training establishments in the municipality; and
- d. All government facilities and office buildings including public markets, public transport terminals, plazas or park.

Section 6. Installation of CCTV as a requirement in the Establishment of a Business or Renewal of Business Permit.

- a. The installation and setting up of a CCTV is a condition/requirements/pre-requisite in the establishment of a business enterprise in the municipality and the existence/installation/setting-up of a CCTV business enterprise in the municipality shall be a requirement for the renewal of their business permits. A Municipal licensing officer shall inspect compliance to this ordinance prior the issue of business permit;

- b. Failure to comply with the ordinance including the non-compliance of the required specifications shall be ground for non-issuance, non-renewal or disapproval or cancellation of their business permit.

Section 7. Minimum Technological Specifications. The CCTV system to be installed shall meet the following minimum specifications:

I. Technical Specification:

A. WIRELESS IP CAMERA (PTZ Type) INDOOR

- | | | |
|--------------------------|---|---|
| a) Camera type | : | Dome/Bullet/Box |
| b) Image Sensor | : | ½' maximum to 1/3' minimum CMOS Sensor |
| c) Signal System | : | NSTC |
| d) Illumination | : | Color - (0.1-1.0 lux Black & white: 0.-0.5 lux) |
| e) Image Frame Rate | : | 30fps |
| f) Angle of View | : | 62.8 minimum |
| g) Effective Pixel | : | 2MP |
| h) Image Compression | : | H.264 |
| i) Audio Compression | : | G.726 |
| j) IR Visibility | : | 20 meters (minimum) |
| k) Network Protocol | : | Manufacturer's Standard |
| l) Operating System | : | Manufacturer's Standard |
| m) Operating Temperature | : | 0°C to 55°C |
| n) Lens Type | : | Manufacturer's Standard |
| o) Weight | : | 2.3 kgs minimum |
| p) Protection Rating | : | IP 66 |

B. WIRELESS IP CAMERA (PTZ Type) OUTDOOR

- | | | |
|--------------------------|---|--|
| a) Camera Type | : | Dome/Bullet/Box |
| b) Image Sensor | : | ½' maximum to 1/3' minimum CMOS Sensor |
| c) Signal System | : | NTSC |
| d) Illumination | : | Color 0.1-1.0 lux |
| e) Image Frame Rate | : | 30fps |
| f) Angle of View | : | 62.8 • minimum |
| g) Effective Pixel | : | 2MP |
| h) Image Compression | : | H.264 |
| i) Audio Compression | : | G.726 |
| j) IR Visibility | : | 20 meters minimum |
| k) Network Protocol | : | Manufacturer's Standard |
| l) Operating System | : | Manufacturer's Standard |
| m) Operating Temperature | : | 0°C to 55°C |
| n) Lens Type | : | Manufacturer's Standard |
| o) Weight | : | 2.3 kgs minimum |
| p) Protection | : | IP 66 |
| q) Optical Zoom | : | 18x minimum |
| r) Digital Zoom | : | 10x |

FEATURES: (Indoor and Outdoor PTZ. Camera)

- a) Tamper Assistant on video, time stamp;
- b) Wide Dynamic Range (WDR);
- c) Support 32GB SD/SDHC Card;

- d) With PTZ auto tracking;
- e) Any Certificates of ISO9001,ISO4001, RoHS, FCC/GS/CE, ISO4892-2

C. WERELESS IP CAMERA (Standard Type) INDOOR

- a) Camera Type : Dome/Bullet/Box
- b) Image Sensor : 1/2" maximum to 1/3" minimum CMOS Sensor
- c) Signal System : NSTC
- d) Illumination : Color : 0.1-1.0 lux Black & White : 0-0.5 lux
- e) Image Frame Rate : 30fps
- f) Angle of View : 65
- g) Effective Pixel : 2MP
- h) Image Compression : H.264
- i) Audio Compression : G. 726
- j) IR Visibility : 20 meters minimum
- k) Network Protocol : Manufacturer's Standard
- l) Operating System : Manufacturer's Standard
- m) Operating Temperature : 0°C to 55°C
- n) Lens Type : Varifocal
- o) Weight : Manufacturer's Standard
- p) Protection Rating : 1P66

D. WIRELSS IP CAMERA (Standard Type) OUTDOOR

- a) Camera Type : Digital Zoom
- b) Image Sensor : 2/" maximum to 1/3" minimum CMOS Sensor
- c) Signal System : NTSC
- d) Illumination : Color: 0.1-1.0 lux
- e) Image Frame Rate : 30fps
- f) Angle of View : 65
- g) Effective Pixel : 2MP
- h) Image Compression : H.264
- i) Audio Compression : G.726
- j) IR Visibility : 20 meters minimum
- k) Network Protocol : Manufacturer's Standard
- l) Operating System : Manufacturer's Standard
- m) Operating Temperature : 0°C to 55°C
- n) Lens Type : Varifocal
- o) Weight : Manufacturer's Standard
- p) Protection Rating : 1P66
- q) Digital Zoom : 4X

FEATURES: (Indoor and Outdoor Standard Type Wireless IP Camera)

- a) Tamper resistant on video time stamp;
- b) Wide Dynamic Range (WDR);
- c) Support 32GB SD/SDHC Card

E. NETWORK VIDEO RECORDER (NVR) Server Type

- a) Processor : Quad Processor
- b) Operating System : Manufacturer's Standard
- c) Channel Description : 64 Channels

- d) System Memory (RAM) : 4 GB
- e) Video Compression : H. 264
- f) Audio Compression : G. 726
- g) Protocol Support : Manufacturer's Standard
- h) Recording Mode : Continuous/Manual/Schedule
Recording/Alarm Recording
- i) Recording Performance : 30fps
- j) HDD Tray : Manufacturer's Standard
- k) Recording Resolution : 1MP to 10MP
- l) Power Supply : 220VAC, 60Hz (£5%)
- m) USB Port : 2
- n) Weight : 16kgs minimum

FEATURES:

- a) Hot swap capability
- b) Diverse Pan/Tilt/Zoom device interface
- c) Intelligent motion detection
- d) Support Remote/mobile client of at least 10 users
- e) Chassis installation should be rack mounted
- f) With joy stick
- g) Any Certificates of ISO4001, CE, RoHS, FCC, VCCI, BSMI

F. NETWORK VIDEO RECORDER (NVR) Stand Alone Type

- a) Number of Channel : 16 Channels
- b) Video Compression : H.264
- c) Supported Resolution : Manufacturer's Standard
- d) HDD Capacity : 4TB
- e) USB Port : 2
- f) Protocol Support : Manufacturer's Standard
- g) Power Supply : 220VAC, 60Hz (£5%)
- h) Weight : Not more than 4kgs

G. POWER OVER ETHERNET (POE) SWITCH

- a) Communication standard : Manufacturer's Standard
- b) Ports : 8 ports
- c) Data Transfer Rate : Ethernet :10/200Mbpsd 9Half/Full duplex)
- d) Data RAN Buffer : Manufacturer's Standard
- e) Power Supply : 220VAC, 60Hz (£5%)
- f) Operating Temperature : 0°C to 45°C
- g) Dimension : Manufacturer's Standard
- h) Weight : Not more than 1.5kgs

FEATURES;

- a) Must have CE/FCC Certificate

CAMERA

- a) Minimum of eight hundred (800) camera resolution
- b) Capable of capturing video footage at 0.1 Lux illumination
- c) Shall have auto-iris (either fixed or vari-focal)

- d) Shall have infra-red-light emitting diodes (LEDS) enough to reach a distance of at least twenty (20) meters for a clear recording to 0 Lux (for areas where there are no continued sufficient lightning);
- e) Equipped with at least seventy (70) degrees lens angle; and
- f) The outdoor camera must be vandal-proof with IP 66 weatherproof casing.

VIDEO RECORDER

- a. Minimum of four (4) camera inputs
- b. Minimum of 640 x 480 video resolution
- c. Thirty (30) frames per second (FPS) recording per camera;
- d. Shall have hard disk drive/s enough to store video recording for all cameras for at least one terabyte (1 TB);
- e. Must have time stamping feature; and
- f. Must have an interface for storage back-up.

OTHER COMPONENTS

- a. At least (4) cameras covering the areas of transaction, provided that, at least one (1) cameras must be facing the street from the entrance (when applicable), however, the actual number of cameras will depend on the size of the establishment and nature of business as determined by the Provincial Government subject to necessary guidelines Shall have centralized power supply for the Digital Video Recorder (DVR) and cameras.
- b. Shall have appropriate Uninterruptible Power Supply (UPS) to provide standard and reasonable back-up power to the video recorder and its cameras.

Section 8. Installation Guide. The enumerated Installation Guide is recommended to be followed:

- a. Cameras must be installed at a secured location with maximum area coverage enabling to capture the physical attributes of individuals that will result in their identifications;
- b. The video record must be mounted on a secured/concealed location to protect the video footages from theft and/or deliberate destruction brought by force majeure;
- c. The installed CCTV or video surveillance system shall have captured and must full coverage of the establishment and business activities including the recording of the tellers, cashiers, cash registrar's sales personnel, vault, stock room, parking areas, drive through lanes surrounding areas of a business establishment and similar places where business activities take place;
- d. Whenever possible, a back- up file shall be provided for archiving purposes; and
- e. When the establishment is not located inside the mall or building, the CCTV or video surveillance system must be installed in such manner as to have a clear view of the system must be installed abutting the establishments, including surveillance, including surveillance footage thereof, taking into particular consideration the clarity of shots in relation to the angles thereof.

Section 9. Preservation of the Recording. The operator, owner and/or manager of the establishment shall maintain the continuous digital images recorded by the system for no less than thirty (30) days for the safekeeping for a period of not less than (3) months, and may be disposed of once such period has lapsed at the option of the owner. After that period the recording may be delated or overwritten and the operator, owner and/or manager shall be liable for its deletion or overwriting of the records, unless its preservation is required by a court order. Recording and duplicate recordings, archives of recording submitted to judicial and quasi-judicial bodies as evidence shall not be destroyed unless with the leave of court;

Section 10. Confidentiality and Non-disclosure of Video Recording. The operator, owner and/or manager of the establishment shall maintain the privacy and confidentiality of the video feeds and recording obtained as a result of the surveillance performed in accordance with this. Toward this end, the owner and/or manager shall prohibit the use, viewing, copying, disclosure, or publication of said video feeds and recording unless otherwise requested by the person subject of the recording and by the police or other law enforcers but only in so far to the recording that the related to the incident;

Section 11. Access to Feeds and Recordings. If a crime has been committed or the operator, employee, or owner of the establishment has a reason to believe that a crime has been committed and has been recorded by the CCTV, the operator, employee, or owner of the establishment may immediately contact Municipal Station through the Chief of Police or his/her duly authorized representative and shall provide immediate access to the pertinent video feeds and recordings to the law enforcement authorities engaged in criminal investigation upon written request of the authorized or designated officer thereof with particular time and day covered by the request therein specified. The captured video footages or images may be used at any time to satisfy the written order or subpoena of any court or body with competent jurisdiction;

Section 12. Allowed Use and Disclosure. The use, viewing, copying, or disclosure of the video feeds and recording obtained pursuant to the surveillance performed in accordance with this Ordinance shall only be allowed in the following:

- a. Use, viewing, copying. Or disclosure to a member of officer of a law enforcement agency in connection with the limited to the investigation or prosecution of an offense punishable by law or regulation;
- b. Use, viewing copying. Or disclosure in connection with any pending criminal or civil proceeding.
- c. Use viewing, copying or disclosure that may be necessary for a person to determine whether not an offence was committed against their person or property, to ascertain the identity of a criminal perpetrators, and to determine the manner by which an offense was penetrated.

It shall be the responsibility of the owner and/or the manager to ensure that the conditions for use, viewing copying or disclosure of video recordings are reasonably established before giving access to requesting parties. The extent of video recording to be used, viewed, copied, or disclosed shall be limited to the pertaining to the abovementioned instances.

Section 13. Administrative Provisions

- a. It is unlawful for any person to allow the unauthorized public identification of any person or client of seen in the video. These video recording shall not, in any manner, to use to infringe the privacy of individuals. A continued violation of this Ordinance for each week shall be considered a separate violation.
- b. The owner and/or manager of the establishment shall likewise be liable for violation of this Ordinance; provided that the violation was due to his/her direct participation, lack of supervision, or negligence and can be prosecuted for laws violating that the right to privacy or other civil criminal liabilities.

Section 14. The Municipal Monitoring / Inspection Team

There are shall be a monitoring/inspection team which shall be composed of the following:

- a. SB Chairperson of the Committee on Peace and Order and Public Safety as Chairperson of the Monitoring / Inspection Team; and
- b. Members:

SB Chairperson of the Committee on Computer and Information Technology
SB Chairperson of the Committee on Health and Sanitation
SB Chairperson of the Committee on Social Services, Women and Family Welfare and
Development and Responsible Parenthood and Poverty Alleviation
Chief of Police, Municipal Police Station

The team shall be primarily in-charge for the monitoring of the business establishment, school, and government offices in ensuring full compliance of this Ordinance. Furthermore, the team shall map every camera designated in every critical area and shall regularly check the same every six months.

Section 15. Enforcement and Penalties.

- All establishment subject to mandatory requirements of this Ordinance shall have six (6) months from the effective date to comply with the minimum technological standards and system requirements set forth thereof.
- Violation of any of the provisions of this Ordinance shall results to a notice of violation from the Municipal Permits and Licensing Office and/or Chief of Police which has the authority to investigate all alleged violations. The notice shall inform the owner and/or manager or business operator the grounds for violations Violators shall have fifteen (15) days after receipt of the notice to provide proof of compliance. If the violations continue after (15) fifteen-day period, the Municipal Permits and Licensing Office and/or Chief of Police or his/her authorized representative shall issue a citation against the violator to pay a fine of Five Thousand Pesos (P5,000.00).
- In addition to the forgoing, any violation of any provision of this Ordinance that is hereby declared to be public nuisance and contrary to the public interest, the Municipal Permits and Licensing Office and/or Chief of Police or his/her authorized representative may file a cause action that could recommend the revocation/cancellation of the business license or permit of the violator.

For purpose of this Ordinance, a violation that continues each week shall be considered a separate violation.

Section 16. Repealing Clause. All other Ordinance contrary to or inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly to conform with the provisions of this Ordinance.

Section 17. Separability Clause. If for any reason, any portion of provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full and effect.

Section 18. Effectivity. This Ordinance shall take effect after posting and publication as provided by law.

ENACTED this, 06th day of May 2024 at Sangguniang Bayan Session Hall, San Benito, Surigao del Norte.

XX
We hereby certify to the correctness of the foregoing Ordinance.

HON. PUYAT P. SUMANDO
SB Member

HON. CHARLITO E. MENDAVIA
SB Member


HON. FELIX B. SUMANDO, SR.
SB Member

HON. WILLIAM A. POLICAN
SB Member

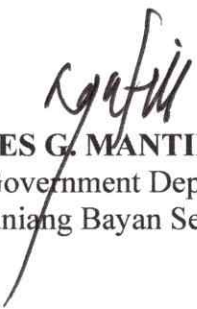
HON. DELEIN P. LABOLA
SB Member
Presiding Officer Pro-Tempore

HON. JAYROM P. CABALLEJOS
SB Member


HON. RUELLA T. RULETE
Ex Officio / LNMB President

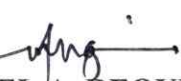

HON. AIRA MAE C. GALANO
Ex-Officio / SKF President

Attested:


MELQUIADES G. MANTILLA, MA, MPA
Municipal Government Department Head 1
Sangguniang Bayan Secretary

APPROVED: _____

05/08/2024


HON. WELLYBEL A. REQUIRME
Municipal Vice Mayor
Acting Mayor