

Republic of the Philippines > QUEZON CTTY COUNCIL

Queens City
City Council

PO2011-24 PO2011-58 PO2011-43

52nd Regular Session

ORDINANCE NO. SP. 2139 , S-2012

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.

Introduced by Councilors RAQUEL S. MALANGEN,
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JULIAN ML. COSETENG, ALLAN BENEDICT S.
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SOTTO, EUFEMIO C. LAGUMBAY, EDCEL B.
LAGMAN, JR., JESUS MANUEL C. SUNTAY,
JESSICA CASTELO DAZA VINCENT DG.
BELMONTE and RANULFO Z. LUDOVICA.
Co-Sponsored by Jose Mario Don S. De Leon.

WHEREAS, Section 16 of the Local Government Code or Republic Act No. 7160, also known as the General Welfare Clause 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, since the 1960s, 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, the local government of Quezon City enacted Ordinance No. SP-1980 S. 2008, requiring the installation of CCTV systems in banks, malls, gasoline stations, supermarkets, pawnshops, money-changers and 24-hour convenience stores;

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 Quezon City.

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 SYSTEM (CCTV) AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

SECTION 2. SCOPE AND APPLICATION – Establishments that cater to a populous array of clients and who have voluminous monetary transactions are considered to be highly vulnerable to crime and are considered high-risk, and shall be required to install a closed circuit television (CCTV) or video surveillance system. The CCTV or video surveillance system shall be maintained in proper working order at all times, and shall be in operation at least during office hours, and shall meet the minimum technological standards set by this ordinance.

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SECTION 2.a. Covered Establishments - This Ordinance shall cover banks, malls, gasoline stations, supermarkets, pawnshops, money-changers, 24-hour convenience stores, schools, fast food restaurants/Quick Service Restaurants (QSRs) and car dealerships.

SECTION 2.b. Other Covered Establishments – This Ordinance shall also cover high-risk and/or particularly crime-vulnerable establishments which operate, transact and/or deal with any of the following, whichever will apply:

- 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 (Php50,000.00) or
- ii. Transact on an average daily basis with more than Two Hundred (200) clients.

SECTION 3. FEEDS AND RECORDINGS - The owner(s) of the business establishments shall preserve the camera recording for at least a period of one (1) year of its recording. It shall be unlawful to use or view any saved or archived video recording and unauthorized disclosure or identification of the identify of any person seen on video other than the complainant or victim(s) without the order of a competent court of justice or authority.

The owner(s) 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.

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SECTION 4. MINIMUM TECHNOLOGICAL STANDARDS — 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.

For this purpose, the CCTV or video surveillance system shall meet the following minimum specifications:

- a. One dedicated channel per camera in operation;
- b. 640x480 pixel resolution recording level;
- c. Recording speeds of fifteen frames per second (15 fps);
- d. Sufficient memory to retain data for at least thirty (30) days, with redundancy or back-up to preserve the data;
- e. Time-stamping feature;
- f. With retrieval and viewing functions while in operation;
- g. Provided with independent uninterruptible power supply (UPS) system;
- h. Data or captured images/footage can be stored on digital, optical or magnetic media for evidentiary purposes;

SECTION 5. COVERAGE - All the establishments mentioned under Sections 2a and 2b hereof which are located within the jurisdiction of the Quezon City are hereby required to strategically install, maintain and operate CCTV or video surveillance system inside and outside their premises where people normally transact business.

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SECTION 6. 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 images may be used at any time to satisfy the written order or subpoena of any court or body with competent jurisdiction.

SECTION 7. PROHIBITION - The viewing of recorded or captured video footage or images shall be made with due respect for 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 for violations of laws on the right to privacy and all other related laws.

SECTION 8. IMPLEMENTING OFFICE – The Business Permits and Licensing Office (BPLO) is mandated to make the Implementing Rules and Regulations (IRR) and the Department of Public Order and Safety (DPOS) is hereby tasked to assist the BPLO for the implementation of the IRR.

SECTION 8.a. 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.

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SECTION 9. EXCEPTIONS – Establishments which operate and are within the monitoring and purview of establishments that have existing and compliant CCTV systems shall be exempt from the scope of this Ordinance, and shall secure such exemption from the Business Permits and Licensing Office (BPLO). The BPLO shall issue the appropriate guidelines for the application for exemption, and it shall have the authority and discretion to determine whether the exemption sought is meritorious.

SECTION 10. PENALTIES – A fine not exceeding Three Thousand Pesos (Php3,000.00) shall be imposed on any establishment found in violation of this Ordinance on the first instance. Continued or subsequent failure to comply with the provisions of this Ordinance after thirty (30) days of the initial findings of non-compliance, shall subject the violator to an additional fine of Five Thousand Pesos (Php5,000.00) and shall constitute ground for the suspension, revocation or cancellation of the establishment's business permit.

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.

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SECTION 13. EFFECTIVITY CLAUSE - This ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation.

ENACTED: March 5, 2012.

President Pro-Tempore Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III City Gov't. Asst. Dept Head III

APPROVED: 2012

SERT M. BAUTISTA City Mayor

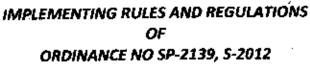
CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 5, 2012 and was PASSED on Third/Final Reading on March 12, 2012.

> Atty. JOHN THOMAS S. ALFEROS III City Gov't. Asst. Dept Head III



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"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."

ARTICLE I PRELIMINARY PROVISIONS

RULE 1. PURPOSE – This Implementing Rules and Regulations is promulgated pursuant to Section of Ordinance No SP-2139, S-2012 for the purpose of prescribing guidelines in implementing the policy on the installation, operation and maintenance of Close Circuit Television System in business establishments within the territorial jurisdiction of Quezon City and prescribing minimum standards therefor.

RULE 2. LEGAL BASIS - The promulgation of this Implementing Rules and Regulations is based on the following policies:

- 2.1 ORDINANCE NO SP-2139, S-2012, dated 20 April 2012

 "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."
- 2.2 DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT MEMORANDUM CIRCULAR NO 2012-38 dated 22 February 2012:

 "USE OF CLOSED CIRCUIT TELEVISION TECHNOLOGY TO FURTHER COMMUNITY PEACE AND PUBLIC SAFETY."

RULE 3. DEFINITION OF TERMS – For the purpose of this Implementing Rules and Regulations, the following words, phrases and terms as used herein, shall be construed and mean as follows:

3.1 Banks — The term "Bank" and "Banking Institution" shall be synonymous and interchangeable and shall include banks, commercial banks, savings bank, mortgage banks, rural banks, development banks, cooperative banks, stock savings and loan associations and branches and agencies in the Philippines of foreign banks and all other corporations authorized to perform banking functions in the Philippines. (Republic Act No 3591 as amended by Republic Act No 7400, 13 April 1992);

An establishment authorized by government to accept deposits, pay interest, clear checks, make loans, act as an intermediary in financial transactions and provide other financial services to its customers;

3.2 **Business** – Trade or commercial activity regularly engaged in as a means of livelihood or for profit (Ordinance No SP-91, S-1993, as amended);

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- J.3 Business Permits and Licensing Office (BPLO) Implementing arm of the Office of the Mayor that Issue, suspend, revoke business permit to operate and occupational permit under authority given by the Mayor pursuant to Section 455 Republic Act No 7160 (Local Government Code of 1991, as amended)
- 3.4 Close Circuit Television (CCTV) is the use of video cameras to transmit a signal to a specific place on a limited set of monitors.
- 3.5 Fast Food Center Any place where food and refreshments and/or drinks are served, usually on the counter upon payment
- 3.6 Gasoline Service/ Filling Station Any area of land, including structures thereon, that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include facilities used or designed to be used for pollshing, greasing, washing, spraying, dry cleaning or other cleaning or servicing such motor vehicles. (Ordinance No SP-918, 5-2000, as amended);
- 3.7 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.
- 3.8 Internet Protocal Camera (IP Camera) Type of digital video camera commonly employed for surveillance;
- 3.9 Night Club A restaurant open at night usually serving liquor, having a floor show and providing music and space for dancing (Ordinance No SP-918, \$-2000, as amended)
- 3.10 Pawnshops A store that offers money, usually a fraction of the value for a variety of different items or merchandise with value.
- 3.11 Quezon City Information Technology Development Office (QCITDO) An Office under the Quezon City Government tasked to provide with technical assistance in relation to Information and Communication Technology policies, procurement, etc (Ordinance No SP-1844, 5-2008);
- 3.12 Shopping Centers Business establishments which may include groceries, appliances, refrigerated or non-perishable, goods, amusement activities, movie houses, fitness centers, clothing apparel, home furnishing, etc, housed in one building or several buildings. It may be operated by one person or by different persons renting spaces in the complex (Ordinance No SP-91, S-1993, as amended);
- 3.13 Supermarkets/Groceries A large store that sells a variety of food and household items to customers.

ARTICLE II IMPLEMENTATION

RULE 4. COVERAGE – The installation of Closed Circuit Television (CCTV) or video surveillance system in business establishments within the territorial jurisdiction of Quezon City is hereby required as a condition precedent in registration and the renewal thereof.

These Rules and Regulations shall be implemented in the following covered business establishments:

- 4.1 Bonks
- 4.2 Shopping Malis
- 4.3 Gasoline Refilling/Service Stations
- 4.4 Super Markets



- Money Changers 4.5
- 24-hour convenience stores 4.6
- Schools including Calleges and Universities 4.7
- Fast food/Quick Service Restaurants 4.8
- Car dealership 4.9
- High-risk and/or particularly crime-vulnerable establishments which operate transact 4.10 and/or deal with any of the following:
 - Handle extensive monetary transactions in the regular course of business, amounting to the exchange of goods and/or services for daily average amount of more than Fifty Thousand Pesos (Php 50,000.00); or
 - Transact on average daily basis with more than Two Hundred (200) clients, 4.10.2

The following business establishments are considered high risk:

- 4.10.3 Jeweiry and Pawnshops
- 4.10.4 Money Courier and Money Wire Transfer;
- 4.10.5 Hotels and the like;
- 4.10.6 Games and Amusements (PAGCOR) places;
- 4.10.7 Night Clubs, Super Clubs, KTV Bars, Resto Bars and the like;
- 4.10.8 Health Clubs, Spa and Massage Parlors;
- 4.10.9 Other business establishments considered high risk.

RULE 5. MINIMUM STANDARD SPECIFICATIONS - Video surveillance system or Close Circuit Television (CCTV) System shall at least be capable of delineating the activity and physical features of individuals and areas within the premises, on or during playback and able to record such image or video en digital, optical or magnetic media.

For the purpose of this IRR, Close Circuit Television System or video surveillance system shall meet the following minimum specifications:

- One (1) dedicated channel per camera in operation; 5.1
- Minimum of 640 x 480 pixel resolution recording level; 5.2
- Recording with Fifteen frames per second (15 fps) for best resolution; 5.3
- Sufficient data storage of camera recordings for one (1) month data storage. This must 5.4 be accessible directly without the need for restoration or back up process;
- Time stamping feature; 5.5
- With retrieval and viewing functions while in operation; 5.6
- Independent uninterruptible power supply (UPS) system; and 5.7
- Data or captured images/footage can be stored on digital, optical or magnetic media for 5.8 evidentiary purposes.

RULE 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:

- 6.1 Cameras shall be installed 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 passibly free from natural human intervention;
- 6.2 Video surveillance system or CCTV shall be maintained and installed the same inside and outside the premises where people normally transact business.
- 6.3 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:
 - Infrared Night Vision capability with a minimum distance of ten (10) Meters;

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- 6.3.2 Approximate horizontal angle view of 47 to 57 degrees;
- 6.3.3 Focal length range of 2.8mm to 4.0mm or %" CCD chip;
- 6.3.4 Minimum of 640 x 480 pixels with fifteen (15) frames per second for best resolution.
- 6.4 For other establishments engaged in services which requires privacy installations shall be limited to the publicly access and common areas, such as hallways/stairways, lobbies, reception areas, waiting lounges, and pools and the like.

RULE 7. IMPLEMENTING AGENCIES – The Business Permits and Licensing Office shall be the lead agency implementing this rules and regulations. The Quezon City Information Technology Development Office (QCITDO) shall provide BPLO with technical assistance in the implementation of this rules and regulations.

The Quezon City Information Technology Development Office (QCITDO) shall assist BPLO in the creduct of inspection of establishments and ensure compliance to the minimum standard specifications as provided in these rules.

RULE 8. EXEMPTION — Business establishments operating and maintaining existing and compliant Close Circuit Television Systems shall be exempt from the coverage of Ordinance No SP-2139, --2012 and this Implementing Rules and Regulations.

For purposes of this implementing Rules and Regulations, the Chief of the BPLO shall have the authority to issue Certificate of Compliance for business permit upon the recommendation of the technical team from the QCITDO, for the grant of exemption under these rules.

The team shall submit their findings and recommendation to the Chief of the BPLO for consideration and dispositive action. The same Certification shall be required to all establishments applying for Mayor's Business Permits.

ARTICLE III

QUEZON CITY GOVERNMENT IMPLEMENTATION OF VIDEO SURVEILLANCE OR CLOSE CIRCUIT
TELEVISION SYSTEM

RULE 9. STANDARD SPECIFICATION/REQUIREMENT - In accordance with the Information Fistern Strategic Plan (ISSP) for Quezon City and the approved standard specification by the National Computer Center, the following standard specification of Close Circuit Television or Video Surveillance System procurement shall be implemented in Quezon City Government Offices buildings and other publishes owned by the Quezon City Government including all the Barangays within the territorial jurisdiction of Quezon City:

9.1 Fixed Focus IP Camera

- 9.1.1 Complies with Fast Ethernet IEEE802.3 POE standard, 802.3U
- 9.1.2 Provides Admin Utility with 16 channels viewer and browser management
- 9.1.3 Firmware Upgradoble
- 9.1.4 Power Adapter DC 12V, 1A
- 9.1.5 2-Way Audio Input / Output
- 9.1.6 Recording Format AVI, MPEG 4
- 9.1.7 1.3 Mega Pixels CMOS Sensor
- 9.1.8 Smm Lens, Manual Focus, F=2.8
- 9.1.9 LAN Connection
- 9.1.10 Operating Condition 0-40 C/ 10-90% Non-Condensing
- 9.1.11 Resolution 640 x 480 or higher with 15-30FPS
- 9.1.12 RF output power 11b: 16d8m ~ 18d8m / 11g: 14d8m ~ 16d8m / 11n: 11dbM 13d8M
- 9.1.13 Frequency Band 2.4 ~ 2.485 GHz
- 9.1.14 IR / Night Vision Capability 10 15 meters range

9.2 Pan Tilt & Zoom IP Camero



- 9.2.1 Complies with Fast Ethernet IEEE802.3 POE standard, 802.3U
- 9.2.2 Provides Admin Utility, 16 channels viewer and browser management
- 9.2.3 Firmware Upgradable
- 9.2.4 Power Adopter DC 12V, 1A
- 9.2.5 2-Way Audio Input / Output
- 9.2.6 Recording Format AVI, MPEG 4
- 9.2.7 1.3M Pixels CMOS Sensor
- 9.2.8 5mm Lens, Manual Focus, F=2.8
- 9.2.9 LAN Connection / with 2 X External antenna for wireless connection
- 9.2.10 Operating Condition 0-40 C/ 10-90% Non-Condensing
- 9.2.11 Resolution 640 x 480 or higher
- 9.2.12 RF output power 11b: 16d8m ~ 18d8m / 11g: 14d8m ~ 16d8m / 11n: 11dbM~ 13Dbm
- 9.2.13 Frequency Band 2.4 ~ 2.485 GHz
- 9.2.14 IR / Night Vision Capability
- 9.3 Online Data Storage DVR with Twenty Giga Byte (20GB) capacity to record daily video capture or Computer Work Station with video capturing capability.

Computer Specifications:

Processor at least Intel i3 processor
VGA Card Resolution — 1024 x 768 or above
Hard Disk — Five Hundred Giga Byte (500gb) or above
DVD Writer
,
OS — Windows XP/VISTA/7

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Internet Browser - Internet Explorer 6.0, Firefox, Safari or above

External Storage:

LAN/USB Connection;

At least Thirty Two Giba Byte (32gb) to handle live feed for one (1) month per IP camera.

9.4 Back up for Archived Storage

9.4.1 External Storage:

LAN/USB Connection; At least four tera byte (4TB) per camera to handle one (1) year of video recording; or

9.4.2 DVD-R/RW for monthly Back-up using DVD for Archiving purposes to be kept in safe storage.

The Office of the Mayor shall be the lead agency to implement this CCTV System with the technical assistance of the Quezon City Information Technology Department in Quezon City Government offices, public schools, health centers, hospitals and other Quezon City Government owned and operated facilities.

ARTICLE IV PROHIBITIONS AND PENALTIES

RULE 10. ACCESS TO RECORDINGS — The owner(s) of the establishment shall keep, maintain and preserve the camera recording for a period of at least one (1) year from the date of its recording.

In the event of the commission of the crime, or the operator, employee or owner of the establishment has reason to believe that a crime has committed and has been recorded by the serveillance system, the operator(s), employee(s) or owner(s) of the establishment shall immediately get in touch with the Quezon City Police District, National Bureou of Investigation or any Law Enforcement Agency, as the case may be, and shall provide access to the pertinent recordings.

The recorded video footage or images may be used at any time subject to the written order or ψ_{θ} compulsory process of any court or legislative or investigative body with competent jurisdiction.

It shall be unlawful or prohibited to use or view any saved or archived video recording and unauthorized disclosure of the identification of any person seen on video other than the complainant(s) or victim(s) or their relatives, if the victim is dead, without an order from a court of competent jurisdiction.

RULE 11. PENALTIES - Aside from the penalties provided by existing laws, the following penalties shall be imposed for purposes of implementing Ordinance No SP-2139, S-2012:

- 11.1 First Offense A fine not exceeding Three Thousand Pesos (Php3,000.00) shall be imposed on any establishment found in violation of this Implementing Rules and Regulations;
- 11.2 Second Offense and Continued or Subsequent Failure to Comply After Thirty (30) days of the initial findings of non-compliance, a fine of Five Thousand Pesos (Php5,000.00) shall be imposed on the owner or the Chief Operations Officer/Chief Executive Officer/President in case of a Corporation, and shall constitute a ground for the suspension, revocation or cancellation of the establishment's business permit to operate.

ARTICLE V FINAL PROVISIONS

RULE 12. SEPARABILITY CLAUSE – If, for any reason, this IRR is declared invalid or unconstitutional by a court of competent jurisdiction, other parts not affected such declaration of any slidity or unconstitutionality shall be in full force and effect.

RULE 13. EFFECTIVITY — This implementing Rules and Regulations shall take effect immediately upon publication in a newspaper of general circulation pursuant to Section 8a of the Ordinance.

RULE 15. OTHER FORMS OF DISSEMINATION – These implementing Rules and Regulations shall likewise be posted on the official website of the City Government copies of this IRR shall also be distributed to existing chamber of commerce and similar organizations for their information and guidance.

Recommending approval:

REVINALD PAUL M IMJADA

QC Information Technology Development Officer

Business Permits and Licensing Officer

ATTY CHRISTIAN A VALENCIA
City Legg Officer

ARINE CUNA MINSA

Chief of Staff

RAQUEL 5 MALANGEN

City Councilor, 4th District

Approved:

HERBERT M BAUTISTA

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on 14_ December 2012 at Quezon City.

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