



Republic of the Philippines
Province of Ilocos Sur
CITY OF VIGAN



OFFICE OF THE SANGGUNIANG PANLUNGSOD

**FOURTH CITY COUNCIL
ORDINANCE NO. 01
SERIES OF 2013**

AN ORDINANCE REQUIRING BUSINESS ESTABLISHMENTS AND COMMERCIAL COMPLEXES AND OTHER PLACES AND SPACES CONSIDERED AS HIGH RISK TO INSTALL VIDEO SURVEILLANCE CAMERAS OR CLOSED-CIRCUIT TELEVISION AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Explanatory Note

WHEREAS, banks, moneychangers, pawnshops, credit facilities and other financial institutions, as well as hotels, malls, supermarkets, gasoline stations and even schools are easy or frequent targets of lawless elements;

WHEREAS, video surveillance cameras or closed-circuit television (CCTV) can incidentally view behavior that has caused or likely to cause danger or damage to any person or property and help in the identification of the perpetrators thereof and therefore can help avert criminalities;

WHEREAS, CCTV has proven time and again in its usefulness in recounting details of criminalities and the identification of perpetrators thus making incident and investigation reports speedy and thorough;

WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. 7160) so provides that local government units shall exercise its powers expressly granted, and those that are necessarily implied therefrom, which are necessary and essential to the promotion of the general welfare of its inhabitants;

WHEREAS, Section 447 of the same code provides that local government units may “maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for violation thereof;”

WHEREAS, the City of Vigan, in active pursuit of programs and measures that endeavors to create an environment conducive to the advancement of local trade and commerce and considers business its indispensable partner in the promotion of progress and development

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Panlungsod of the City of Vigan in session duly assembled that:

SECTION 1. TITLE: This ordinance shall be known as “*The Vigan City CCTV Camera Ordinance.*”

SECTION 2. DECLARATION OF POLICY

It is hereby declared the policy of the City Government of Vigan to protect the security and well-being of its constituents from criminality and lawlessness by enacting sound measures for the maintenance of peace and order within its jurisdiction.

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to install CCTV...)*

It is also the policy of the City Government of Vigan to ensure that the fundamental rights of an individual to privacy is not and will not be unreasonably hampered or curtailed other than what is necessary for the protection of the welfare of the public in general.

Thus, in the enactment and implementation of this Ordinance, the City Government of Vigan iterates and affirms its adherence and full respect for every individual's fundamental right to privacy by regulating the installation and use of video surveillance camera or CCTV, ensuring that Feed Locations are limited to public spaces only and by the provision of proper safeguards against unauthorized viewing and/or disclosure of video recording made in accordance therewith.

SECTION 3. DEFINITION OF TERMS . For the purpose of this Ordinance, the following terms shall mean:

- a) **Business Establishments** – refers to banks and their satellite offices, branches and automated teller machines (ATMs), money changers, pawnshops, credit facilities and other similar lending and financial institutions, as well as gasoline stations and service shops, hotels, inns, lodging houses, motels, restaurants, specialty stores and facilities, hospitals, computer shops, internet shops, bus terminals, dormitories and other high risk commercial complexes or establishments as may be identified.
- b) **Closed-Circuit Television (CCTV)** – refers to video surveillance cameras used to transmit visual information to a monitor or a number of monitors.
- c) **Commercial Complex** – refers to a building or structure or a set of buildings or structures usually owned by a single owner, company or corporation housing under its roof several business entities of varied natures by various owners.
- d) **Feeds** - are visual information or images transmitted by video surveillance cameras to the monitors.
- e) **Feed Locations** – areas that are covered or viewed by video surveillance camera.
- f) **High Risk Areas** – refers to commercial complexes and establishments and other places and spaces with common business areas where there is a greater degree of susceptibility to occurrence of accidents or criminalities because of the numerous financial, social or business interactions, or places and spaces where critical properties of the City are situated.
- g) **Monitors** – the screens or other devices on which feeds are viewed.
- h) **New Business Establishments** – refers to newly created trading or commercial concerns undergoing application for business permit or the license to operate prior to the effectivity of this ordinance.
- i) **Old Business Establishments** – refers to existing business establishments that have duly secured current business permit or license to operate and are already operating at the time of the effectivity of this ordinance.
- j) **Recycling** – refers to the process by which records or tapes of feeds or visual information may be erased through overrun by another or new visual information.
- k) **Satellite Branches/Offices** – refers to small extension offices of business concerns such that of banks.
- l) **Dormitories** - A building for housing a number of persons, as at a school or resort.
- m) **Designated Security Personnel** – police or civilian personnel authorized to operate or use particular CCTV Camera/s.

SECTION 4. SCOPE OF APPLICATION AND INSTALLATION OF VIDEO SURVEILLANCE CAMERAS

- a) All financial institutions and high risk areas regardless of capital; and commercial establishments with Five Hundred Thousand Pesos (Php 500,000.00) or more in capital like malls, specialty stores and facilities, restaurants, gasoline stations and service shops, hospitals and clinics, grocery stores, computer and cell phone shops, internet shops, dormitories and other high risk areas including industrial and manufacturing establishments.

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- a) All educational establishments in the City of Vigan, whether private or public, irrespective of their locations;
- b) All local government facilities and buildings shall likewise install Closed Circuit Television (CCTV) Camera in public buildings or places where the public frequently converge like markets, terminals, plazas or parks, main thoroughfares or in the entrance and exit points of the City as may be recommended by the City Police Director.

SECTION 5. GUIDELINES FOR THE CCTV INSTALLATION – All facilities required to install CCTV's pursuant to the provisions of this Ordinance shall install and operate closed circuit television cameras which shall be maintained in proper working order at all times and shall be in operation at least during office hours. The number of cameras to be installed will be based on the recommendation of the Police Officers who shall conduct the ocular inspection of the premises of the establishment.

SECTION 6. IMPLEMENTING OFFICE. The City Business Permits and Licensing Office (CBPLO) and the Philippine National Police of Vigan City are hereby tasked to assist each other in the implementation of this ordinance.

- a. The CBPLO and PNP shall send duly authorized employees to inspect the premises of all business establishments covered by this ordinance by order of the City Mayor. A specially designed sticker shall be posted by the inspection team on the establishments that have complied herewith.
- b. An establishment found to be in violation hereof shall be inspected again thirty (30) days after the date of the first inspection to determine if it has already complied herewith. An establishment that fails to comply during the second inspection shall be deemed to have already violated this Ordinance.
- c. Establishments that have already complied with this Ordinance shall be inspected twice every year without prior notice to ensure that the CCTV system is operational and well-maintained.
- d. Establishments or facilities covered by this ordinance shall post signage on conspicuous places that it is installed with CCTV.

SECTION 7. LIMITATION ON USE. CCTV Cameras, and all its feeds, shall be solely used in the specified instances set forth in this ordinance, and use of CCTV Cameras by such persons other than the owners and designated security personnel authorized to operate the same in any manner or location, or for any other purposes, is expressly prohibited.

- a) Law Enforcement and Crime Prevention – CCTV Cameras and any all Feeds, shall be used for the purpose of providing surveillance in the service of law enforcement and crime prevention within the City where there is documented criminal activity.
- b) Traffic Monitoring – CCTV Cameras and any and all Feeds shall be used for the purpose of traffic monitoring but are not intended to include enforcement of traffic violations. Notwithstanding the foregoing, the Feeds from the CCTV Cameras used for traffic monitoring may be used for lawful purpose in the event that such CCTV Cameras, while being used for their primary function, incidentally view behavior that has caused or is likely to cause danger to person or property.

SECTION 8. PROHIBITIONS. The Feeds shall not be used for the following:

- a) Broadcasting – broadcast by any of the authorized persons prescribed herein of any of the Feeds or any of its parts or records on or through any medium other than the monitors;
- b) Viewing – Feeds shall not be viewed by any person/s other than those expressly authorized herein to view the records of feeds.
- c) Transfer – Feeds shall not be transferred to any third party, whether for profit or not;
- d) Reproduction – No person shall be allowed to copy any or all parts of any records of the Feeds.

SECTION 9. PRESERVATION OF FEEDS. Feeds shall be recorded or otherwise stored by owner or owners of institutions or establishments for future use for a period of not more than fifteen (15) days.

After fifteen (15) days, the records or tapes of the Feeds may be recycled or destroyed unless otherwise a proper request for a specific log of any given feed shall have been made as provided for in the proceeding section. In such case the properly requested specific record/s of Feeds must be turned over, in its original and unadulterated form and substance, to the proper requesting authority.

SECTION 10. PROPER REQUEST FOR FEEDS. Stored or preserved feeds shall be used at any time to satisfy the following:

- a) Any authorized subpoena or any written order of any court of competent jurisdiction; the local PNP, the National Bureau of Investigation (NBI), Criminal Investigation and Detection Group (CIDG), the Philippine Drug Enforcement Agency (PDEA) or the City Mayor;
- b) Any written request from the Chief Officer of the investigating body or authority calculating the advent of a criminality for proper disposition of crime investigation and report;
- c) Any written request from the duly constituted legislative body or assembly for purposes in aid of legislation.

SECTION 11. PENALTIES

a) On Section 4

- i. New business establishments shall not be given a business permit if it has not complied with this ordinance;
- ii. Old business establishments shall not be given a renewal of their business permits if they have not complied with this ordinance;

b) Any other violations on the provisions set forth in this ordinance shall be punishable by:

First Offense	Two Thousand Pesos (Php 2,000.00)
Second Offense	Three Thousand Pesos (Php 3,000.00)
Third Offense	Five Thousand Pesos (Php 5,000.00)

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.

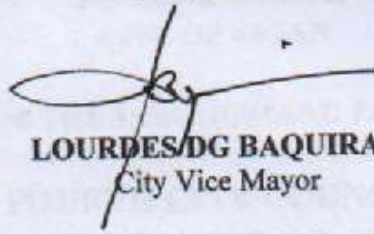
SECTION 13. SEPARABILITY CLAUSE

Should any provision, section or part of this ordinance declared as invalid by any court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections or parts hereof which shall continue to be in full force and effect.

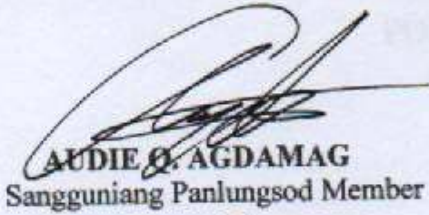
SECTION 14. EFFECTIVITY

This ordinance shall take effect upon approval however, a six-month grace period shall be given to an establishment to comply with the provisions of this ordinance.

APPROVED on JANUARY 21, 2013.



LOURDES DG BAQUIRAN
City Vice Mayor



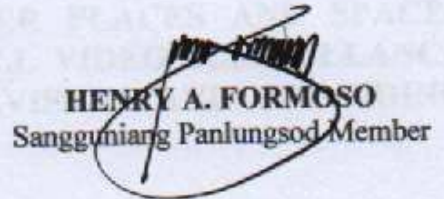
AUDIE G. AGDAMAG
Sangguniang Panlungsod Member



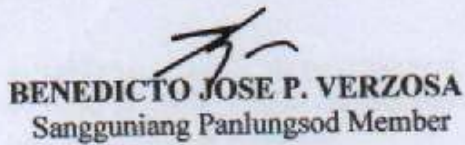
HERMEN GILDO APELIN
Sangguniang Panlungsod Member



GEORGE J. VILLANUEVA
Sangguniang Panlungsod Member



HENRY A. FORMOSO
Sangguniang Panlungsod Member

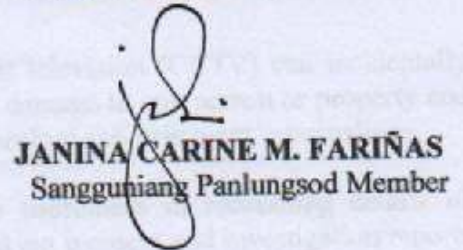


BENEDICTO JOSE P. VERZOSA
Sangguniang Panlungsod Member

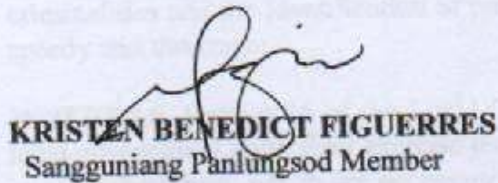
CONSTANTE V. BENZON
Sangguniang Panlungsod Member



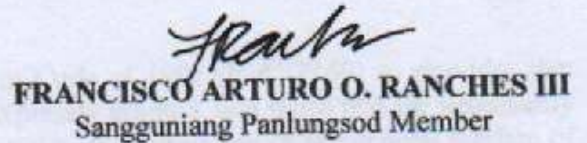
LORETO A. QUIBILAN
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JANINA CARINE M. FARIÑAS
Sangguniang Panlungsod Member



KRISTEN BENEDICT FIGUERRES
Sangguniang Panlungsod Member



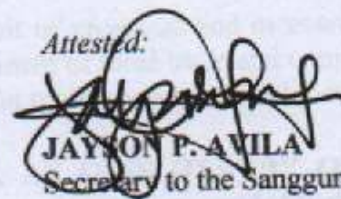
FRANCISCO ARTURO O. RANCHES III
Sangguniang Panlungsod Member



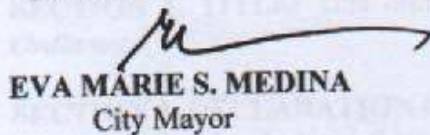
JOHN PATRICK A. SINGSON
ABC President



STEPHEN ANDRE L. DE LEON
PPSK Vice-President

Attested:

JAYSON P. AVILA
Secretary to the Sangguniang Panlungsod

Approved:



EVA MARIE S. MEDINA
City Mayor

Date Approved: _____