




Republic of the Philippines
Tangapan ng Sangguniang Panlungsod
2/F City Hall Bldg., J. Miranda Ave., Con. Peq., Naga City
☎ 472-79-19 • 473-20-51



ORDINANCE NO. 2017-089
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AN ORDINANCE REVISING ORDINANCE NO. 2008-067, NOW TO BE KNOWN AS “AN ORDINANCE REQUIRING THE INSTALLATION OF VIDEO CAMERA IN AND OUTSIDE COMMERCIAL ESTABLISHMENTS, AND ALONG MAJOR THOROUGHFARES AND INTERSECTIONS IN THE CITY OF NAGA, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”:

Author: Hon. Salvador M. Del Castillo 

In the implementation of Ordinance No. 2008-067, it was noticed that some provisions therein needs to be updated to cope up with recent developments. This is in line with the security measures taken up and/or put up by banking institutions and other business establishments, which are susceptible to robbery/hold-up incidents perpetrated by lawless elements who are mostly armed with deadly and high-powered weapons/ firearms ;

Although banking institutions and other establishments in the City of Naga have already installed their respective video monitoring devices in and outside their place of operation to monitor and record ingress/egress of in their establishments and what is going on within their premises, it is necessary that these devises are operational and functioning at all times;

With the use of video monitoring devices, police and other investigating agencies will have easier time identifying the perpetrators of crimes and other illegal activities within the jurisdiction of the City of Naga;

With the installation of traffic lights in the city, it becomes more imperative to require the installation of video monitoring devices in some establishments who have not yet complied with the provisions of Ordinance No. 2008-067 to install video camera within their premises, and along the major thoroughfares and intersections in the City as additional security measure to thwart the possible occurrence of these incidents , and for easy identification of would be perpetrators of crime, including violation of traffic rules and regulations in the City of Naga.

NOW THEREFORE,

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

SECTION 1. – a) All commercial establishments in the City of Naga with a capital investment from ONE HUNDRED THOUSAND (Php 100,000.00) Pesos shall install a high resolution video camera inside and outside of their premises and ensure that these monitoring devices are properly functioning 24/7 ;

b) The video camera shall be installed in the best possible location on the establishment and connected to the television monitors from where activities, occurrences and people within or outside the premises, to include but not limited to streets, alleys and sidewalks can be visually monitored.

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c) In cases where the business establishment is leased to one or more tenants, it is the responsibility of the LESSOR to install video camera on the common area, and the LESSEE shall also install video camera within their leased premises;

SECTION 2. – Daily video recording must be in digital format stored and preserved for at least ninety (90) days for review and reference purposes, after which the same may be overwritten. However, if a crime occurred at the premises or in the vicinity of the establishment, the entire 90-day recording containing the incident shall be preserved until a) the termination of the case, or b) full and faithful reproduction is made by law enforcement agencies duly witnessed by an IT professional and a Barangay official, UNLESS its prolonged preservation is ordered by the Court, by the City Director of the Naga City Police Office in connection with an ongoing investigation, or by the City Mayor.

SECTION 3. – The banking institutions, money shops and business establishments, shall allow local authorities and duly authorized Police Officers, upon presentation of a written authority from City Director of the PNP and approved by the City Mayor, to view the recordings or video footages, and have a soft copy of same, if circumstances warrant, without any delay or obstruction for speedy solution of a particular incidents or crime, where said footages, recorded videos are necessary as evidence in court, without prejudice to the provisions of Section 2 hereof.

SECTION 4. – The City Government of Naga shall cause the installation of video cameras along major thoroughfares of the city and intersections, to augment the security and police work being undertaken by the Naga City Police Office and the Public Safety Office. Appropriation for this purpose shall be given priority in the allocation of funds in the current or succeeding Annual Budget of the city.

SECTION 5. – The personnel manning the central monitoring station of the video camera monitors shall promptly report to the proper authorities any occurrence of crime and any suspicious movements of people observed thru these facilities in order that the police authorities can immediately prevent the commission of a crime and respond and apprehend the perpetrators thereof.

SECTION 6. – Unless otherwise ordered by the court of competent jurisdiction, it shall be unlawful for any person to allow the unauthorized and/or unofficial use or viewing of and saved or archived recording, and the unauthorized disclosure of the identity of any person/s or client/s seen in the video recording.

SECTION 7. – It shall be the responsibility of the owner or manager of the commercial establishment to keep the video camera and its recording equipment operational 24 hours a day, seven days a week. For this purpose, a duly authorized personnel of the the Naga City Police Office or the Public Safety Office is authorized to conduct surprise inspection of the video camera systems of commercial establishments to check whether these equipment are operational or not.

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SECTION 8. – Penalty Clause – Any violation of the provisions of this ordinance shall be penalized with the following fines and penalties:

a) For Business Establishment:

1. Fine of Five Thousand (₱5,000.00) Pesos.
2. After a period of Thirty (30) days after an inspection had been made and the establishment is still non complying with the provisions of this Ordinance, a fine of Five Thousand (₱5,000.00) Pesos shall be paid, plus a (1) month suspension of Business license/permit to operate, except if the violation pertains to non-functionality of video cameras, in which case the suspension shall be effective until a compliant video camera system is operational.
3. A fine of Five Thousand (5,000.00) Pesos, plus the Revocation of business permit/license to operate, when there is a continuous violation of the provisions of this Ordinance.

Provided, that if any erring business establishment refuses or fails to pay the imposed fines within one (1) week from the issuance of notice of violation and citation ticket in accordance with par a and b of this Section, its business permit and license to operate shall be suspended until the penalty shall have been settled.

4. Non compliance with the provisions of this Ordinance Shall be a ground for non-issuance of the Mayor's Permit and Business Permit to operate business within the City of Naga, in case of new applicant, and non-renewal thereof, in case of existing establishments.
- b) Any person who violates the provision of Section 3, 4, 6 and 7 hereof, shall pay a fine of Five Thousand (₱5,000.00) Pesos or six (6) months imprisonment, or both, at the discretion of the Court.
- c) Any person who destroys, defaces or removes, intentionally blocks the field of view, or otherwise renders a video camera ineffective or inoperative the installed video camera or monitoring device without the authority of the concerned business establishment shall pay a fine of Five Thousand (₱5,000.00) Pesos, plus an imprisonment of one (1) year and shall be required to pay for the cost of repair or replacement of such device.

SECTION 9. – The Naga City Police Office, the Public Safety Office and the City Treasurer are hereby tasked to implement this Ordinance.

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SECTION 10 . – Ordinance No. 2008-067 and all other orders issued pertaining thereto are hereby repealed.

SECTION 12. – Separability Clause – If any provision of this ordinance is declared invalid or unconstitutional by a competent court, the other provisions not so declared shall remain valid and subsisting.

SECTION 12. – Effectivity Clause - This ordinance shall take effect after Fifteen (15) days upon its approval and publication in a newspaper of local circulation.

ENACTED: November 28, 2017


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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.


NELSON S. LEGACION
City Vice Mayor
& Presiding Officer


GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

APPROVED:


JOHN G. BONGAT
City Mayor

12/1/17