



SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2020 HELD ON THE 1st DAY OF SEPTEMBER 2020 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT:

HON. JAIME O. DUQUE	.. VICE MAYOR/PRESIDING OFFICER
HON. CLEOFE D. FAVIS	.. MEMBER
HON. RODOLFO C. ESPEJO, JR.	.. MEMBER
HON. ALBERTO C. MARZAN, JR., MD	.. MEMBER
HON. RUBEN V. GAMBOA, JR.	.. MEMBER
HON. THELMAFLOR A. ESPEJO	.. MEMBER
HON. JANIUS M. YASAY	.. MEMBER
HON. CELESTE A. AYSON	.. MEMBER
HON. GEORGE R. CUCHAPIN, MD	.. LnB PRESIDENT

ABSENT:

HON. GEORGE MICHAEL P. AGUILAR	.. MEMBER
HON. EZEKIEL C. RIVERA	.. SKF PRESIDENT (<i>Official Business</i>)

MUNICIPAL ORDINANCE NO. 07
Series of 2020

AN ORDINANCE REQUIRING ALL BARANGAYS AND COMMERCIAL ESTABLISHMENTS WITHIN THE TERRITORIAL JURISDICTION OF MONCADA TO INSTALL CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

Authored by: COUN. RODOLFO C. ESPEJO, JR.

WHEREAS, the use of closed-circuit TV (CCTV) cameras has been at the forefront of crime-fighting technology worldwide;

WHEREAS, to intensify the municipality's drive against criminality, a CCTV system should be of great help as a deterrent to and a reliable tool in preventing and solving crimes, about which the SB finds the need to institutionalize the use of CCTV systems in all barangays and commercial establishments in the municipality;

NOW, THEREFORE, on motion by Coun. Rodolfo C. Espejo, Jr, duly seconded;

BE IT ENACTED by the Sangguniang Bayan of Moncada in session duly assembled, that:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the **"CCTV ORDINANCE OF MONCADA 2020."**



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SEC 2. DECLARATION OF POLICY. – It is the policy of the Municipality of Moncada to protect its people from criminal elements and to maintain peace and order, protect life, liberty and property and promote the general welfare.

SEC 3. COVERAGE.

- a. Establishments engaged in monetary transactions are considered highly vulnerable to crime and shall be required to install Closed-Circuit Television (CCTV) cameras CCTV or video surveillance system for their own good. The CCTV or video surveillance system shall be maintained in proper working condition at all times, and shall be monitored twenty-four hours a day, seven days a week (24/7).
 - i. This Ordinance shall cover banks, shopping centers/commercial complexes, resorts, gasoline stations, supermarkets, pawnshops, money-changers, lending companies, 24-hour convenience stores, schools, training centers, restaurants, fast-foods, hotels, motels, apartelles, apartments, recreation centers, computer shops, auto and appliance repair shops, hospitals, clinics and other similar establishments.
 - ii. Commercial establishments not mentioned in the foregoing subsection (i), but with initial capital investment of P 500,000.00 and above shall likewise be required to install CCTV systems in their facilities and premises.
- b. The thirty-seven (37) barangays of the Municipality of Moncada, through their respective barangay councils, shall install CCTV systems in strategic locations in their areas of jurisdiction. Funding of which shall be charged against their respective barangay budgets.
- c. The Municipal Government of Moncada shall install CCTV systems at LGU properties such as, but not limited to, the municipal town hall, legislative building, rural health units, public market, public plaza and other LGU facilities.

SEC 4. FEEDS AND RECORDINGS. – The barangay council or business establishment shall preserve the camera recordings for as long as it takes before the same is overwritten.

The Barangay shall assign one of its Barangay Public Safety Officers (BPSO) or "Barangay Tanod" on duty to monitor CCTV feeds during his entire shift. Monitoring thereof shall be twenty-four hours a day, seven days a week (24/7).



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The LGU of Moncada shall designate personnel who will monitor CCTV feeds in the public market for twenty-four hours a day, seven days a week.

SEC 5. 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 public viewing, recording, dissemination, use or even broadcasting of captured video footage or images. *Provided, that*, investigating officers or authorities shall be granted access to video footages upon written request stating the purpose thereof, in aid of the investigation process.

SEC 6. IMPLEMENTING OFFICES. – The Liga ng mga Barangay, Philippine National Police, Business Permits and Licensing Office (BPLO) and Municipal Engineering Office shall ensure the implementation and enforcement of this Ordinance.

The Engineering Department shall make random inspection of the CCTV systems of business establishments and the 37 barangays.

SEC 7. TRANSITORY CLAUSE. – A moratorium of sixty (60) calendar days from the passage of this Ordinance shall be allowed barangay councils and all covered establishments to fully comply with the provisions of this Ordinance.

SEC 8. PENALTIES. – A fine not exceeding Two Thousand Pesos (P2,000.00) shall be imposed on any establishment or institution found in violation of this Ordinance on the first instance. Continued or subsequent failure to comply with the provisions of the Ordinance after thirty (30) days of the initial findings of non-compliance, shall subject the violator to an additional fine of Two Thousand Five Hundred (P2,500.00) and shall constitute grounds for the suspension, revocation or cancellation of business permit.

No business permit or permit to operate shall be issued or renewed unless the CCTVs as required in this Ordinance are installed and fully operational.

Failure of a barangay council to comply with the provisions of this Ordinance shall be grounds for the filing of administrative complaint pursuant to prevailing laws and ordinances.

SEC 9. 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.

SEC 10. REPEALING CLAUSE. – All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed or modified accordingly.



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SEC 11. EFFECTIVITY CLAUSE. – This Ordinance shall take effect fifteen (15) days following its posting in at least three conspicuous places in the municipality and likewise in the official social media platforms and website of the LGU of Moncada.

ENACTED, this 1st day of September, 2020 at Moncada, Tarlac.

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I hereby certify to the correctness of the foregoing Municipal Ordinance which was enacted by the Sangguniang Bayan of Moncada on the above-mentioned date and place.


VICTOR SANDINO S. MOLINA
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


JAIME O. DUQUE
Vice-Mayor & Presiding Officer

**APPROVED AND SIGNED BY HER HONOR,
THE MAYOR, this September 3, 2020**


ESTELITA M. AQUINO
Municipal Mayor