

DRAFT ORDINANCE NO. 1907-001

AN ORDINANCE REQUIRING THE INSTALLATION OF CCTV CAMERAS IN COMMERCIAL ESTABLISHMENTS WITH SUBSCRIBED CAPITAL OF ONE MILLION PESOS AND ABOVE AND PROVIDING PENALTIES FOR NON-COMPLIANCE.

AUTHORED & SPONSORED BY: HON. KYLE GEORIC Y. GACULA.

WHEREAS, Article II Section 5 of the 1987 Constitution provides xx "The maintenance of peace and order the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, RA 7160, Section 16 grants local government units to exercise its police power for the general welfare of its people;

WHEREAS, prevention of crime such as robbery and theft is a priority program of the Municipal Government of Taytay;

WHEREAS, the Rules on Evidence promulgated by the Supreme Court of the Philippines and jurisprudence interpreting it recognizes object evidence as the highest form of evidence in the practice of litigation, and would therefore assist the prosecution service in prosecuting crimes and the public attorneys in defending the innocent in criminal litigation

WHEREAS, the market value of CCTV cameras show that certain models can be purchased for (Php 15,000.00) thus not severely **Impairing the commercial establishments capital**

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF MUNICIPALITY OF TAYTAY IN REGULAR SESSION ASSEMBLED:

SECTION 1. DEFINITION OF TERMS

- 1. COMMERCIAL ESTABLISHMENTS-** any building, structure, or edifice and the life owned and/or operated by entities engaged in trade or business for profit;
- 2. COMPLIANCE INSPECTION-** inspections conducted by the Municipal Building Officer to monitor and ensure compliance with the provisions of this ordinance;
- 3. STOCK CORPORATIONS –** Corporations with authorized capital divided into shares of stock, surplus profits of which are distributed as dividends to shareholders;
- 4. SUBSCRIBED CAPITAL STOCK-** amount of stocks issued by the corporation and/or subscribed by stockholders of said corporation;

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SECTION 2. COVERAGE - All commercial establishments in the Municipality of Taytay whether or not its principal office is located within the Municipality shall comply with the provisions of this ordinance, *provided* that the capitalization of said commercial establishment is One Million Pesos (Php 1,000,000) as reported in the Business Permit and Licensing Office of the Municipality of Taytay.

SECTION 3. COMPLIANCE

- a) All corporations operating or conducting business through any commercial establishment in the municipality falling within the coverage as stated in Section 2 of this ordinance shall submit a report to the Business Permit and Licensing Office detailing the number and placement of its CCTVs in its commercial establishments;
- b) The Business Permit and Licensing Office shall establish guidelines and parameters for the installation of the CCTVs in commercial establishments, taking into consideration the building plans of each commercial establishment. The Business Permit and Licensing Office shall, within thirty (30) days from effectivity of this ordinance draft and release such guidelines to corporations and commercial establishments within the Municipality;
- c) Representatives of the Business Permit and Licensing Office shall conduct unannounced Compliance Inspections during the business days and hours of commercial establishments, not more than once a month;
- d) Violation of any provision of this ordinance shall be reported by the Business Permit and Licensing Office to the Office of the Municipal Mayor and the Municipal Administrator;
- e) The Municipal Mayor, shall, with the advice of the Head of the Business Permit and Licensing Office, shall determine whether or not there has been non-compliance with the provisions of this ordinance;
- f) Any appeal thereof shall be made within five (5) calendar days to the Office of the Municipal Mayor. Any penalty imposed by this ordinance or any other law or ordinance shall be suspended until resolution of this appeal.
- g) The installed CCTV must be operational.

SECTION 5. COORDINATION WITH THE MUNICIPAL GOVERNMENT IN CRIMINAL INVESTIGATIONS -

Any authority conducting an investigation in an area where a business is required to install a CCTV may demand a copy of the CCTV footage upon prior request to the owner.

SECTION 4. PENALTIES

For the **1st violation**, a penalty of Php 1,500.00 shall be imposed;

For the **2nd violation**, a penalty of Php 2,500.00 shall be imposed;

For the **3rd violation**, the business permit of the commercial establishment shall be cancelled.

SECTION 5. REPEALING CLAUSE- All ordinances and resolutions, or parts thereof inconsistent with the provisions hereof shall be repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE- If for any reason any provision/s of this ordinance shall be found unconstitutional by competent authority, the other provision/s not so declared to be unconstitutional shall remain valid.

SECTION 7. EFFECTIVITY- This ordinance shall take effect (10) days after its publication in a local newspaper of general circulation and postings in conspicuous places in the Municipality.