



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF GLORIA

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building- Rizal Street, Maligaya, Gloria Oriental Mindoro 5209/ Secretariat: sbgloria2015@gmail.com, 09070521125, 09178790062,

MINUTES OF THE **83rd REGULAR SESSION** OF THE SANGGUNIANG BAYAN OF GLORIA HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON MONDAY, DATED MARCH 26, 2018 AT 9:00 IN THE MORNING.

PRESENT:

HON. RAMON G. SOLAS	-	Presiding Officer
HON. CRISPIN J. BAWASANTA	-	SB Member
HON. NICK ORLANDO M. JAMILLA	-	SB Member
HON. NORMA R. PAZ	-	SB Member
HON. ROMEO EDWARD P. ALVAREZ	-	SB Member
HON. NICANDRO F. FABON, JR.	-	SB Member
HON. ROMEO S. SADIWA	-	SB Member
HON. LAURO L. DE BELEN	-	SB Member
HON. ELEUTERIO H. ROLDAN	-	Liga President

ON OFFICIAL BUSINESS:

HON. FELIX V. JARABE III	-	SB Member
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MUNICIPAL ORDINANCE NO. 03
Series of 2018

Sponsored by : Hon. Felix V. Jarabe III
 Co-Sponsors : Hon. Nick Orlando M. Jamilla, Hon. Romeo S. Sadiwa
 Hon. Crispin J. Bawasanta and Hon. Nicandro F. Fabon, Jr.

AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRECRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO.

WHEREAS, in the past five (5) years, the Municipality of Gloria has experienced various accidents due to irresponsible and indiscriminate use of firecrackers and pyrotechnic devices;

WHEREAS, there is a need for us to take great steps to regulate the use of firecrackers in order to minimize, if not to eradicate accidents that might result to loss of properties and lives; and

WHEREAS, our social and cultural practice of using firecrackers and pyrotechnics must be regulated in order to achieve social stability.

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan in session duly assembled that:

SECTION 1. TITLE. AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRECRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO

NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan

HON. RAMON G. SOLAS
Vice Mayor/Presiding Officer

HON. GERMAN D. RODEGERIO
Municipal Mayor

HON. CRISPIN J. BAWASANTA
SB Member

HON. NICK ORLANDO M. JAMILLA
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Liga President

SECTION 2. OBJECTIVE. It is the objective of this ordinance to regulate the sale, distribution, possession and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of public safety, order, and security laws, as well as the enhancement of cultural traditions.


SECTION 3. TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES ALLOWED IN THIS ORDINANCE

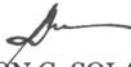
A. Firecrackers

1. **Baby Rocket** – A firecracker with a stick so constructed that a lighting of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about 1 ½ inches in length by 3/8 inches in diameter while the stick is about a foot in length
2. **Small Triangulo** – A triangle shape firecracker with powder content less than the bawang and usually wrapped in brown paper measuring ¾ inch length in its longer side
3. **Pulling of Strings** – A firecracker with a small tube about an inch in length and less than ¼ of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode.
4. **Paper Caps** – Minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns
5. **El Diablo** – Firecracker tubular in shape about 1 ¼ inches in length and less than ¼ inches in diameter with a wick; this is also known as labintador;
6. **Judah's Belt** – A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred or thereabout and culminating in large firecracker usually a bawang;
7. **Sky Rocket (kwitis)** – A large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
8. **Other types equivalent to the foregoing in explosive content**

B. Pyrotechnic Devices:

1. **Sparklers** – Pyrotechnic devices usually made of black powder on a piece of wire or inside a paper tube designed to light up and glow after igniting;
2. **Luces** – Any of several kinds of sparklers;
3. **Fountain** – A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
4. **Jumbo regular and special** – A kind of sparkler similar to a "fountain" but bigger in size;
5. **Mabuhay** – Sparklers bunched into a bundle of a dozen pieces
6. **Roman Candle** – A sparkler similar to a "fountain" but shaped like a big candle;
7. **Trompillo** – A pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counter-clockwise and provides various colored lights upon being ignited;


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Vice Mayor/Presiding Officer


HON. GERMAN D. RODEGERIO
Municipal Mayor

HON. CRISTINA J. BAWASANTA
SB Member

HON. NICK O. BENDICO M. JAMILLA
SB Member

HON. NORMA R. PAZ
SB Member

HON. ROMEO EDWARD P. ALVAREZ
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HON. NICANOR P. FABON, JR.
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Liga President

- 8. **Airwolf** – A kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of lights while aloft;
- 9. **Whistle Device** – Any of the various kinds of firecrackers or pyrotechnics designed to either simply emit a whistle-like sound and explode afterwards upon being ignited;
- 10. **Butterfly** – A butterfly-shaped pyrotechnic device designed to lift above ground while providing light;
- 11. **All kinds of pyrotechnic devices (pailaw); and**
- 12. **Other types equivalent to the foregoing devices.**

SECTION 4. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES.

The sale, distribution and use of any firecrackers and pyrotechnic devices not mentioned in Section III, with explosive content that could endanger life and limb, such as but not limited to atomic big triangulo and super lolo and their equivalent are strictly prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnics in relation to this Ordinance shall be vested with the Head of the Bureau of Fire Protection of the Municipality.

SECTION 5. LICENSE AND PERMIT REQUIREMENTS.

- a. License and permit to sell, and distribute firecrackers and pyrotechnic devices shall only be granted if the same shall be in accordance with Section 3 of this Ordinance. In no case that a license and permit to sell shall be issued for the sale and distribution of firecrackers and pyrotechnic devices and provided for under Section 4 hereof.
- b. Wholesalers and dealers of firecrackers and pyrotechnic devices shall comply with all the requirements of the Firearms and Explosive Division of the Philippine National Police.
- c. Wholesalers, dealers and retailers of firecracker and pyrotechnic devices shall be required to secure a Special Business Permit and to pay a reasonable amount of Three Thousand Pesos (P3,000.00) for the privilege of engaging in the selling of firecrackers and to defray the cost of its regulation. This is without prejudice to the regular Mayor's Permit to be issued.


SECTION 6. QUALIFICATIONS OF RETAILERS AND DEALERS

A License or permit to deal in wholesale or retail of firecrackers and pyrotechnic devices shall be issued only to the following:

- 1. Corporations or partnerships, 60% of ownership shall be of Filipinos
- 2. Single proprietorship, who shall be a Filipino citizen of good moral character;
- 3. The entity must be licensed and registered with the Department of Trade and Industry;
- 4. The entity shall be certified by the Bureau of Fire Protection as to their compliance with Republic Act 7183;
- 5. Permits secured with the Firearms and Explosives Division of the PNP shall be nontransferable.

SECTION 7. RESPONSIBLE USE AND SAFETY GUIDELINES

Strict compliance to the following safety precautions shall be observed by all the wholesalers, retailers, and users of firecrackers and pyrotechnic devices;


NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan


HON. RAMON G. SOLAS
Vice Mayor/Presiding Officer


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Municipal Mayor

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HON. NIC...
SB Member

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SB Member

HON. FAURO L. DE BELEN
SB Member

HON. FELIX V. JARABE III
On Official Business
SB Member

HON. FELEUTERIO H. ROLDAN
Liga President

- A. The Chief Executive shall through an Executive Order, upon the recommendation of the Bureau of Fire Protection, Philippine National Police and the Municipal Disaster Risk Reduction and Management Office with Sangguniang Bayan Resolution, designate a zone for the exclusive selling of firecrackers and pyrotechnic devices during yuletide season.
- B. Within the area of designated zone, no testing and use of the firecrackers shall be allowed and its use will be strictly prohibited
- C. Selling hours in the zone shall be strictly regulated. They shall only be allowed to operate from 8:00 in the morning to 8:00 in the evening except on December 24 and 29 where they shall be allowed to open up to 11:00 in the evening. Selling of firecrackers and pyrotechnic devices during the yuletide season shall only be for a limited number of days the commencement of which shall be on the 15th of December up to the 31st of the same month.
- D. Inventory of firecrackers and pyrotechnic devices to be sold in the zone shall only be limited to 50 kilos at anytime during the selling period. Anything in excess shall be stored in their registered bodegas, registered and inspected by the Bureau of Fire Protection.
- E. Selling of firecrackers and pyrotechnic devices to minors shall be strictly prohibited.
- F. Minors shall also be prohibited to handle and use of any firecrackers and pyrotechnic devices.

SECTION 8. PROHIBITED VICINITY. The use of firecrackers and pyrotechnic devices shall be strictly prohibited in the vicinity of the Public Market, along the highway, Municipal Plaza and other place which will be determined by the Municipal Mayor through the issuance of an executive order.


SECTION 9. SPECIAL CASES. Any person or entity desiring to use firecrackers or pyrotechnic devices by reason of traditional and cultural practices, the said parties shall apply for a permit.

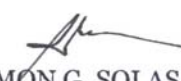
SECTION 10. PENALTIES. Any person or entity who shall sell, distributes and use firecrackers and other pyrotechnic devices in violation of this Ordinance shall be penalized in the amount of Two Thousand five hundred (P2, 500.00) and/or 30 days imprisonment or both at the discretion of the court. In addition, any violation of any of the provisions of this Ordinance shall cause the cancellation of the entity's business license and the confiscation of their inventory. In the case of minors, the penalty for minors as defined in the Children's Code shall apply.

SECTION 11. SEPARABILITY CLAUSE. Should any portion of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, the portions not so declared shall remain in full force and effect.

SECTION 12. REPEALING CLAUSE. All ordinances, local issuances, resolutions, or rules and regulations or parts thereof which are inconsistent with the provisions of this Ordinance is hereby amended, repealed or revoked, accordingly.

SECTION 13. EFFECTIVITY. This Ordinance shall take upon approval.


NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan


HON. RAMON G. SOLAS
Vice Mayor/Presiding Officer


HON. GERMAN D. PRODEGERIO
Municipal Mayor

HON. CRISPIN G. BAWASANTA
SB Member

HON. NICK O. DELA CRUZ
SB Member

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HON. ROMEO EDWARD P. ALVAREZ
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HON. NICOLAS
SB Member

HON. F. FABON, JR.
SB Member

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SB Member

HON. LAURO L. DE BELEN
SB Member

On Official Business
HON. FELIX V. JARABE III
SB Member

HON. ELEUTERIO H. RODRAN
Liga President

Enacted by the Sangguniang Bayan of Gloria on its 83rd Regular Session held on March 26, 2018

HON. CRISPIN J. BAWASANTA
SB Member

HON. NICK O. LANDO M. JAMILLA
SB Member

HON. NORMA R. PAZ
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HON. ROMEO EDWARD P. ALVAREZ
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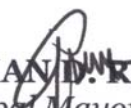
CERTIFIED CORRECT:



NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan

ATTESTED BY:


HON. RAMON G. SOLAS
Presiding Officer/Municipal Vice Mayor

APPROVED:


HON. GERMAN D. RODEGERIO
Municipal Mayor
Date: 4/6/2018


NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan


HON. RAMON G. SOLAS
Vice Mayor/Presiding Officer


HON. GERMAN D. RODEGERIO
Municipal Mayor



SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 102ND REGULAR SESSION OF THE 9TH SANGGUNIANG PANLALAWIGAN OF ORIENTAL MINDORO HELD AT THE SP LOUNGE, BATASANG PANLALAWIGAN (BENIGNO S. AQUINO, JR. LEGISLATIVE BLDG.), GOV. IGNACIO ST., BRGY. CAMILMIL, CALAPAN CITY, ORIENTAL MINDORO, ON MONDAY, 25 JUNE 2018

PRESENT:

Hon. Humerlito A. Dolor, MPA, Ph.D.	Vice Governor/Presiding Officer
Hon. Antonio S. Perez, Jr.	Member
Hon. Ramil O. Dimapilis	Member
Hon. Flor D. Atienza	Member
Hon. Ryan Z. Arago	Member
Hon. Rafael L. Infantado	Member
Hon. Jean Paulo R. Umali	Member
Hon. Mae Arlene M. Talens	Member
Hon. Martin S. Buenaventura	Member
Hon. Juan Paolo G. Luna	Member
Hon. Edilberto C. Ilano, Jr.	Member
Hon. Bernardita D. Arreola	Member/ABC President
Hon. Marion Francis D. Marcos	Member/PCL President

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RESOLUTION NO. 4249-2018

RESOLUTION APPROVING MUNICIPAL ORDINANCE NO. 03, SERIES OF 2018 OF THE MUNICIPALITY OF GLORIA, ENTITLED "AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRECRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO"

On motion of Hon. Rafael L. Infantado, together with Hon. Mae Arlene M. Talens, jointly seconded by Hon. Antonio S. Perez, Jr., and Hon. Ramil O. Dimapilis, be it;

RESOLVED, to approve, as it is hereby approving Municipal Ordinance No. 03, Series of 2018 of the Municipality of Gloria, entitled "An ordinance regulating the sale, distribution, possession and use of firecrackers, pyrotechnic devices and other similar explosives within the territorial jurisdiction of the Municipality of Gloria, Province of Oriental Mindoro", subject to compliance with all existing and applicable laws, rules and regulations which shall be the full responsibility of the local government unit concerned in the implementation of said ordinance.

RESOLVED FURTHER, that copies of this resolution be furnished the Municipal Mayor and the Members of the Sangguniang Bayan, thru the Secretary to the Sanggunian, both of the Municipality of Gloria, for their information and guidance.

UNANIMOUSLY APPROVED.

Certified Correct:

ROGELIO M. AGUILA
LLSO V/Acting Secretary to the
Sangguniang Panlalawigan

Attested:

HUMERLITO A. DOLOR, MPA, Ph.D.
Vice Governor/Presiding Officer

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7/12/18