



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/ [sangguniangloria@gmail.com](mailto:sangguniangloria@gmail.com), 09171396167, 09178790062

MINUTES OF THE 3<sup>RD</sup> REGULAR SESSION OF THE 14<sup>TH</sup> SANGGUNIANG BAYAN OF GLORIA HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON MONDAY DATED JULY 22, 2019 AT 9:00 IN THE MORNING.

PRESENT:

- |                               |   |                   |
|-------------------------------|---|-------------------|
| HON. VIC RUSKIN M. ONG        | - | Presiding Officer |
| HON. ROMEO EDWARD P. ALVAREZ  | - | SB Member         |
| HON. NORMA R. PAZ             | - | SB Member         |
| HON. TEOTIMO F. FAMPULME, JR. | - | SB Member         |
| HON. CRISPIN J. BAWASANTA     | - | SB Member         |
| HON. RODOLFO S. DAPITO        | - | SB Member         |
| HON. LAURO L. DE BELEN        | - | SB Member         |
| HON. RIMANDO M. RECALDE       | - | SB Member         |
| HON. WILFREDO S. CONDESA      | - | SB Member         |
| HON. HENRY S. SOBERANO        | - | Liga President    |
| HON. BONJOVE S. DE MESA       | - | SKMF President    |

ABSENT : NONE

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MUNICIPAL ORDINANCE NO. 10  
Series of 2019

AN ORDINANCE PROHIBITING THE UNAUTHORIZED DISTRIBUTION OR SELLING OF COMBUSTIBLE OR FLAMMABLE LIQUIDS SUCH AS OIL, FUELS AND LUBRICANTS IN THE MUNICIPALITY OF GLORIA PROVINCE OF ORIENTAL MINDORO, AND PROVIDING PENALTY FOR VIOLATION THEREOF

WHEREAS, the rampant unauthorized selling of flammable liquids, oils and lubricants in the Municipality poses clear and present danger to lives and properties of the constituents;

WHEREAS, it is imperative for the government to curb such illegal activities so as to protect the general welfare of the public;

WHEREAS, the proliferation of illegal vendors within the Municipality offering very much low prices of flammable liquids (gasoline and diesel fuels) are unfair to the legitimate gasoline stations which are complying the safety requirements of RA 9514 Fire Code of the Philippines of 2008 and its Implementing Rules and Regulations and at the same time paying their required taxes to the government;

WHEREAS, Section 10.3.4.2.1 (A) (2) of the Implementing Rules and Regulations of the Fire Code of the Philippines provides that: (A.) Flammable or combustible liquids shall not be stored ( including stock for sale), near exit stairways or areas normally used for the egress of people; (B) The storage of flammable and combustible liquids in closed containers shall comply with the occupancy schedule except that the chief of the Local Fire Service, may impose a quantity limitation or require greater protection where, in this opinion , usual hazard to life or property is involved or he may authorize increase of these amounts where the type of construction, fire protection provide or other factor substantially reduce the hazard;

NOEL L. HERNANDEZ  
SB Secretary

ATTY. VIC RUSKIN M. ONG  
Presiding Officer

HON. GERMAN D. RODEGERIO  
Municipal Mayor

HON. ROMEO EDWARD P. ALVAREZ  
SB Member  
HON. NORMA R. PAZ  
SB Member  
HON. TEOTIMO F. FAMPULME, JR.  
SB Member  
HON. CRISPIN J. BAWASANTA  
SB Member  
HON. RODOLFO S. DAPITO  
SB Member

HON. LAURO L. DE BELEN  
SB Member  
HON. RIMANDO M. RECALDE  
SB Member  
HON. WILFREDO S. CONDESA  
SB Member  
HON. HENRY S. SOBERANO  
Liga President  
HON. BONJOVE S. DE MESA  
SKMF President

**WHEREAS**, Section 10.3.4.2.1 (A) (3) of the same Implementing Rules and Regulations of the Fire Code of the Philippines also provides that flammable liquids shall not be dispensed by gravity from the tanks, drums, barrels or similar containers;

**WHEREAS**, an exemption may be granted where the nature of the liquids to be dispensed makes such a restriction impractical; however, approved pumps taking suction from the top of the container shall be used;

**WHEREAS**, flammable or combustible liquids shall not be dispensed a device that operates through pressure with a storage tank or container, unless the tank or container has been approved as pressure vessel for the use of which is subjected, and in no case shall air or oxygen be used for this purpose;

**NOW THEREFORE**, on motion of Hon. Rimando M. Recalde and was duly seconded by all Sangguniang Bayan Members present

Be it ordained by the Sangguniang Bayan of Gloria that:

**Section 1. Declaration of Policy** – The sale or distribution of combustible or flammable liquids such as oils, fuels, lubricants and the like within the MUNICIPALITY is hereby declared prohibited; unless the following requirements are complied with:

- a. Environmental Compliance Certificate (ECC)
- b. Department of Trade and Industry (DTI) Permit
- c. Barangay Clearance
- d. Business Permit from the Municipal Government

**Section 2. Prohibited Acts.** – Any person is likewise hereby prohibited to vend, peddle or deliver the aforementioned products except to authorize seller or dealer of the same or to persons or business entities authorized by proper authorities to store petroleum products necessary or incidental to their business operations.

**Section 3. Creation of Gloria Municipal Task Force Gasolina.**- The Gloria Municipal Task Force Gasolina shall be created as an oversight body to be composed of the following:

**Chairperson:** Municipal Mayor

**Vice-Chairperson:** The Head of the Office of the Municipal Planning and Development Coordinator or his/her duly authorized representative

**Members:**

- a. The Punong Barangay of respective barangays;
- b. The Municipal Fire Marshall or his/her duly authorized representative from the Bureau of Fire Protection; and
- c. The Chief of the Philippine National Police or his/her duly authorized representative

**Section 4. Duties and Functions.**- The created Task Force shall exercise their respective duties and functions as mandated by their respective offices and with the following additional delineated duties:

NOEL L. HERNANDEZ  
SB Secretary

ATTY. VIC RUSKIN M. ONG  
Presiding Officer

HON. GERMAN D. RODEGERIO  
Municipal Mayor

HON. EDUARDO P. ALVAREZ  
SB Member

HON. NORMA R. PAZ  
SB Member

HON. TEOTING F. RAMPULEME, JR.  
SB Member

HON. CRISTINA G. BAYASANTA  
SB Member

HON. RODOLFO S. LAPITO  
SB Member

HON. LAURO I. DE BELEN  
SB Member

HON. RIMANDO M. RECALDE  
SB Member

HON. WILFREDO S. CONDESA  
SB Member

HON. HENRY S. SOBERRANO  
Liga President

HON. BONITOVE S. DE MESA  
SKMF President

The Task Force shall conduct inspections in every barangay and confiscate illegally sold flammable or combustible liquids and if necessary shall file appropriate charges to the court;

The Task Force shall meet every end of the quarter to prepare reports and subsequently submit to the Office of the Municipal Mayor; and

The Task Force shall formulate the Implementing Rules and Regulation to ensure the good implementation of this ordinance.

**Section 5. Storage and Safekeeping.** – The Municipal government shall properly keep all confiscated flammable and combustible liquid and hazardous materials.

**Section 6. Ownership.** – The confiscated flammables or hazardous materials shall be deemed property of the Municipality of Gloria but proper documentation such as inventories and taking pictures of those items shall be done for the presentation to the court as evidence.

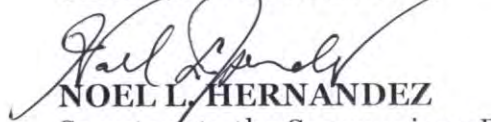
**Section 7. Penalties.** – In violation of this Ordinance the offender(s) shall be punished by a fine of Two Thousand Five Hundred Pesos (Php2500.00) or imprisonment of six (6) months or both at the discretion of the court.

**Section 8. Separability Clause.** – If for any reason a section or provision of this Ordinance is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in force and effect.

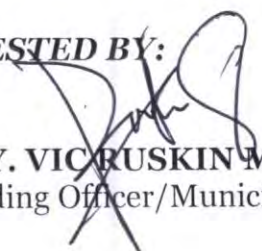
**Section 9. Repealing Clause.** – All ordinances, resolutions, memoranda, orders, and other issuances which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

**Section 10. Effectivity Clause.** This ordinance shall take effect immediately upon its approval and after posting in at least three (3) conspicuous places in the territorial jurisdiction of this Local Government Unit such as but not limited to Barangay Hall, Public Market, Central Terminal and Municipal Hall and publication in a local newspaper for a period of two (2) consecutive weeks.

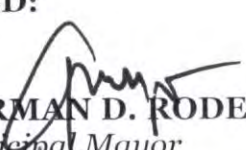
CERTIFIED CORRECT:

  
**NOEL L. HERNANDEZ**  
Secretary to the Sangguniang Bayan

ATTESTED BY:

  
**ATTY. VIC RUSKIN M. ONG**  
Presiding Officer/Municipal Vice Mayor

APPROVED:

  
**HON. GERMAN D. RODEGERIO**  
Municipal Mayor

Date: 8/7/19

HON. EDWARD P. ANWARIZ  
SB Member

HON. NORVA R. PAZ  
SB Member

HON. TIMOTHY F. PAMPLANT, JR.  
SB Member

HON. J. PAWASANTA  
SB Member

HON. CARMIN J. PAWASANTA  
SB Member

HON. RODOLFO S. APITO  
SB Member

HON. LAURO L. DE BELEN  
SB Member

HON. RIMAY M. RECALDE  
SB Member

HON. WILFREDO S. CONDESA  
SB Member

HON. HENRY S. SOBERANO  
Liga President

HON. BONJOY S. DE MESA  
SKMF President



## SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 12<sup>TH</sup> REGULAR SESSION OF THE 10<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF ORIENTAL MINDORO HELD AT MIDAS HOTEL, ON THURSDAY, SEPTEMBER 19, 2019, IN LIEU OF MONDAY, SEPTEMBER 16, 2019

PRESENT:

Hon. Antonio S. Perez, Jr.	Vice Governor/Presiding Officer
Hon. Carlito F. Camo	Member
Hon. C. Voltaire S. Brucal	Member
Hon. Judy Ann D. Servando	Member
Hon. Emmanuel S. Buenaventura	Member/Floor Leader
Hon. Ramil O. Dimapilis	Member
Hon. Mae Arlene M. Talens	Member
Hon. Edilberto C. Ilano, Jr.	Member
Hon. Alexandra C. Casubuan	Member
Hon. Rafael L. Infantado	Member
Hon. Michael Anthony Philippe L. Leachon	Member
Hon. Marion Francis D. Marcos	Member/PCL President
Hon. Dennis V. Brondial	Member/ABC President
Hon. Joeniña R. Aguilon	Member SKPF President

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### RESOLUTION NO. 4898 - 2019

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 10, SERIES OF 2019, OF THE MUNICIPALITY OF GLORIA, ENTITLED “AN ORDINANCE PROHIBITING THE UNAUTHORIZED DISTRIBUTION OR SELLING OF COMBUSTIBLE OR FLAMMABLE LIQUIDS SUCH AS OIL, FUELS, LUBRICANTS IN THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO AND PROVIDING PENALTY OR VIOLATION THEREOF, WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT ORDINANCES, EXCEPT THE PENALTY OF IMPRISONMENT FOR BEING ULTRA VIRES**

**WHEREAS**, the Sangguniang Bayan of Gloria, Oriental Mindoro submitted Municipal Ordinance No. 10, Series of 2019 entitled “An Ordinance prohibiting the unauthorized distribution or selling of combustible or flammable liquids such as oil, fuels, lubricants in the Municipality of Gloria, Province of Oriental Mindoro, and providing penalty for violation thereof”;


**WHEREAS**, the Committees on Power & Energy and Other Public Utilities, and Laws, Ordinances and Legal Matters reviewed and studied said ordinance and found the same as within the conferred powers of the Sangguniang Bayan of Gloria to enact, with the exception of the penalty of imprisonment for being ultra vires, and subject further to full and continuing compliance with all related laws, rules and regulations, which shall be the full responsibility of the LGU, the Municipal Mayor and pertinent officials of Gloria in the implementation of the said ordinance;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, that the Sangguniang Panlalawigan finds Ordinance No. 283, S. 2019 to be declared as within the conferred powers of the Sangguniang Bayan to enact ordinances, except with respect to the penalty of imprisonment for being ultra vires, based on the review and findings of the Joint Committees on Power & Energy and Other Public Utilities, and Laws, Ordinances and Legal Matters under Committee Report No. 283-2019, which shall form part of this Resolution.


**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 Municipality of Gloria, for their information.

On motion of Board Member Marion Francis D. Marcos, jointly seconded by Board Members Joeniña R. Aguilon, Edilberto C. Ilano, Jr. and Michael Anthony Philippe L. Leachon, this Resolution was APPROVED.

Certified Correct:

  
**DIWATA H. FETIZANAN**  
Secretary to the  
Sangguniang Panlalawigan

Attested:

  
**ANTONIO S. PEREZ, JR.**  
Vice Governor/Presiding Officer

Republic of the Philippines  
Province of Oriental Mindoro  
Municipality of Gloria

**TRANSMITTAL**

DATE : **21 NOVEMBER 2019**

DOCUMENT/S: **MUNICIPAL ORDINANCE NO. 10, s. 2019 (GASOLINE ORDINANCE OF 2019)**

OFFICE	NAME	DESIGNATION	DATE/TIME	SIGNATURE
1. MO	ARIANE A. MALIWAN	M.O. STAFF	11/21 9:40	
2. MPDO	Guoanre Sapul	admin. staff	11/21/19	
3. MCRO	HAHEL CEFANA	ADMIN	11-21-19 9:48 AM	
4. MASSO	ADRIANE DELA RIVERA	MASSO	11-21-19	
5. MBO	Conichyn Berto	MBO STAFF	11-21-19	
6. HRMO	Rosalie Mumban	HRMO / Receptionist	11-21-19	
7. GSO	CHRISTIAN S. DAVISON	ADMIN AIDE III	11-21-19	
8. BPLO	Rhea Bell Nilo	BPLO staff	11/21/19 9:41 AM	
9. MTO	E. SIGME	CLERK II	11/21/19 9:48 AM	
10. MSWDO	MA. JENEFIA M. SORIANO	PDAS COORDINATOR	11/21/2019	
11. MEO	NIEA, CJ	CE AIDE II	11/21/19	
12. MENRO	Glenda Mejico	Admin ASST II	11-21-19:37	
13. MACO	Benjo Y. Balan	Computer Operator	11-21-19 9:46 AM	
14. MLGOO	Rodilyn C. Musico	AA III	11-21-19	
15. MHO	Levada B. Vaca	MHO STAFF	11-21-19	
16. MAGO	<del>WALTER</del> Muehela Ryl	Director	11/21/19	
17. MDRMO	GIVON ABO	MDRMO STAFF	11-21-19 9:38 am	
18. BFP				
19. PNP	Sharon Poderas	NWP	11/21/19 10:15	
20. GIST				
21. DepEd				
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