



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 69
Series of 2017

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AN ORDINANCE REGULATING THE MANUFACTURE, PRODUCTION, SALE AND USE OF FIRECRACKERS, PYROTECHNIC DEVICES AND ANY OTHER EXPLOSIVE DEVICES INCLUDING FIREARMS WITHIN THE TERRITORIAL JURISDICTION OF PASIG CITY PROVIDING PENALTIES FOR VIOLATION THEREOF.

Authored By: Councilor Wilfredo F. Sityar
Co-Authored By: Councilors Rodrigo B. Asilo, Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito, Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Alejandro E. Santiago, Victor Ma. Regis N. Sotto, and LIGA Pres. Celestino U. Chua

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WHEREAS, pursuant to Section 16 R.A. 7160, otherwise known as the Local Government Code of 1991, which states that "within their jurisdictions, local government units shall ensure and support, among other things, xxx promote health and safety, xxx and preserve the comfort and convenience of the inhabitants;

WHEREAS, the President of the Philippines issued Executive Order No. 28, Series of 2017 entitled "Providing for the regulation and control of the use of firecrackers and other pyrotechnic devices" relative to Republic Act No. 7183 that provides for the regulation and control of their manufacture, sale, distribution and use consistent with, and in furtherance of, public safety, order and national security, as well as the enhancement of the cultural traditions.

WHEREAS, the City Government of Pasig considers the use of firecrackers, Pyrotechnic devices and indiscriminate firing as serious hazard that can result in the loss of lives, physical injuries and damage to properties;

NOW, THEREFORE, BE IT ORDAINED THAT:

Section 1. TITLE – This Ordinance shall be known as **FIRECRACKER REGULATION ORDINANCE**;

Section 2. DEFINITION OF TERMS – For the purpose of this Ordinance, the following terms shall be defined as:

- a) Firecrackers – a loud, explosive firework typically wrapped in paper and lit with a fuse.
- b) Firearm – is a device with a metal tube and firepower such as rim fire handgun, .380, .32, 9 millimeter such as caliber 40, 41, 44, 45 and also lesser caliber .57 and caliber 22 center-five magnum and other firearms with firing capability.

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- c) Pyrotechnic Devices – Explosions, flashes, smokes, flames, fireworks or other pyrotechnic driven effects used in the entertainment industry are referred to as theatrical special effects, special effects, or proximate pyrotechnics. Proximate refers to the pyrotechnic devices location relative to an audience.

Section 3. Delineation of Firecrackers and Pyrotechnic Zones, the City Mayor and Barangay Captains shall identify and designate open spaces in their respective Barangay in strict compliance with PNP (Philippine National Police) Guidelines.

Firecracker and pyrotechnics shall only be lit on the following designated zones:

- a. Open spaces in the respective thirty (30) barangays of the City of Pasig

Section 4. The sale, possession, use and distribution of firecrackers, pyrotechnic devices and any other explosive devices within the City of Pasig shall be for the period of December 1 to January 2 of every year and during the Chinese New Year. Other special events/occasions shall be allowed only upon securing a permit from the Office of the City Mayor.

Section 5. It is hereby mandated that within the City of Pasig the manufacture, production, sale and use of firecrackers, pyrotechnic devices and any other explosive devices including firearms are regulated in such a manner that:

- a) It is prohibited for any twelve (12) years and below to possess or use any firecrackers, pyrotechnic devices and any other explosive devices.
- b) No individual or any person, sari-sari store, mini-groceries, supermarkets, flea markets, department store and all similar establishments is allowed to sell to minors within the statutory age of twelve (12) years and below.
- c) Any individual person, sari-sari store, mini-groceries, supermarkets, flea markets, department store owners, proprietors, operators and managers respectively found selling this regulated firecrackers to minors within the statutory age of twelve (12) years and below shall be upon apprehension, his/her/its Mayor's Permits and License to sell and operate said sari-sari store, mini-groceries, supermarkets, flea markets, department store and all similar establishments shall be immediately suspended, cancelled and/or revoked.



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- d) Any parents, juridical guardians or those exercising substitute parental authority shall be imposed the penalty herein provided whenever their children within the statutory age of twelve (12) years and below are found to be in possession and use of the firecrackers and pyrotechnic devices in their place of residence and its premises.
- e) Any individual person, sari-sari store, mini groceries, supermarkets, flea markets, department store and all similar establishments is allowed to sell at places in compliance with the Philippine National Police (PNP) Guidelines

Section 6. Application of Permit

6.1 Pursuant to Sec. 4, manufacture, production, and sale of firecrackers, pyrotechnic devices and any other explosive devices shall be allowed only upon securing a permit from the Office of the City Mayor.

6.2 Application for a permit to operate or use firecrackers, pyrotechnic devices and any other explosive devices shall complete the requirement and fill an application form and file the same with the Office of the City Mayor at least Five (5) working days prior to the date of the intended activity.

- a) The application shall describe the nature of the intended activity, the type of firecrackers, pyrotechnic devices and any other explosive devices to be used or operated, the specific location.
- b) Other pertinent information as is necessary for the Mayor to carry out its duties under this section.
- c) Barangay Clearance specifying the intent (for use or for sale of firecrackers, pyrotechnic devices and any other explosive devices).

Section 7. Issuance of Permit

7.1 The City Mayor or its duly authorized representative shall issue a permit for the operation or use of firecrackers, pyrotechnic devices and any other explosive devices, only upon compliance with the provisions of the preceding section.



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7.2 The issuance of permit signed by the City mayor shall describe the nature of the intended activity, specific location and type of the type of firecrackers, pyrotechnic devices and any other explosive devices to be used or operated there under, and the period of time for which such device may be operated. It shall specify such other terms and conditions as are essential to secure and protect the public safety.

Section 8. Penal Provision

Pursuant to Section 3 of this Ordinance, any person(s) who violates the provision of this Ordinance shall be punished:

- Fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of six (6) months at the discretion of the court;
- Confiscation of their stocks;
- Automatic cancellation of his/her permit granted by the City Government;
- If the offender is a juridical entity, the imposable penalty shall be imposed to its President, Chief Operations Officer and/or General Manager or Operator.
- In violation of Section 5 (d) a fine of One Thousand Pesos (Php 1,000).

Section 9. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within forty eight (48) hours from apprehension, provided however, that they can only avail it once, otherwise the case shall be prosecuted.

Section 10. The City Treasurer or any designated officer, subject to civil service laws, rules and regulations is hereby directed to provide personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offended to avail of the forty eight (48) hours within which to pay under this ordinance.

Section 11. Separability Clause. If, for any reason, any part or provision of this ordinance shall be declared unconstitutional or invalid, other parts or provisions not affected thereby shall continue to be in full force and effect.

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Section 12. Repealing Clause. Ordinance No. 46, Series of 1999 and all ordinances, resolutions and other administrative regulations that are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 13. Effectivity Clause. This Ordinance shall take effect fifteen (15) days after its publication in any local newspaper of general circulation and/or posting in the bulletin boards in Pasig City Hall.

APPROVED, this 20th day of December 2017 at Pasig City.

VICTOR MA. REGIS N. SOTTO
Councilor

RODRIGO A. ASILO
Councilor

GREGORIO P. RUPISAN JR.
Councilor

MARIO C. CONCEPCION, JR.
Councilor

RHICIE GERARD T. BROWN
Councilor

ORLANDO R. BENITO
Councilor

ALEJANDRO E. SANTIAGO
Councilor

CORAZON M. RAYMUNDO
Councilor

REGINO S. BALDERRAMA
Councilor

ROSALIO D. MARTIRES
Councilor

CELESTINO U. CHUA
LIGA President




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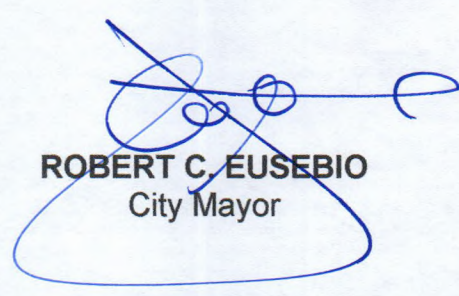

FERDINAND A. AVILA
Councilor
Minority Floor Leader


WILFREDO F. SITYAR
Councilor
Majority Floor Leader

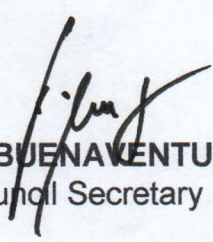
Attested by:


IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:


ROBERT C. EUSEBIO
City Mayor

Attested by:


REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary



