



Republic of the Philippines
CITY OF BACOOR
 Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

PRESENT:

HON. CATHERINE SARINO-EVARISTO City Vice Mayor/
 Presiding Officer

DISTRICT I:

HON. AVELINO B. SOLIS City Councilor
 HON. EDWIN G. GAWARAN City Councilor
 HON. MIGUEL N. BAUTISTA City Councilor
 HON. ROWENA BAUTISTA-MENDIOLA City Councilor
 HON. REYNALDO M. FABIAN City Councilor
 HON. VENUS D. DE CASTRO City Councilor

DISTRICT II:

HON. REYNALDO D. PALABRICA City Councilor
 HON. HERNANDO C. GUTIERREZ City Councilor
 HON. GAUDENCIO P. NOLASCO City Councilor
 HON. BAYANI M. DE LEON City Councilor
 HON. LEANDRO A. DE LEON City Councilor
 HON. ROBERTO R. JAVIER City Councilor

 HON. VICTORIO L. GUERRERO, JR. City Councilor
 (ABC-Pres.)

CITY ORDINANCE NO. 2014-026
 Series of 2014

AN ORDINANCE REGULATING THE POSSESSION, USE, SALE, MANUFACTURE, AND DISTRIBUTION OF ALL TYPES OF FIRECRACKERS WITHIN THE CITY OF BACOOR AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Authored by: **Hon. Bayani M. De Leon**

Sponsored by: **Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus D. De Castro, Hon. Leandro A. De Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Reynaldo D. Palabrica and Hon. Avelino B. Solis**

WHEREAS, hundreds of people are either killed or injured and millions of pesos worth of properties are lost every year during New Year's Eve celebrations due to the destructive force of firecrackers.

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 HON. VICTORIO L. GUERRERO, JR. City Councilor - ABC Pres.
 Attested by:
 ATTY. KHALID A. ATEGA, JR. Sangguniang Panlungsod Secretary
 Certified by:
 HON. CATHERINE S. EVARISTO City Vice Mayor/Presiding Officer
 Approved by:
 HON. STRIKE B. REVILLA City Mayor



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 Sangguniang Panlungsod Secretary

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 City Vice Mayor/Presiding Officer

Approved by:
 HON. STRIKE B. REVILLA
 City Mayor

WHEREAS, the City Mayor, Hon. Strike B. Revilla, requested the Sangguniang Panlungsod to consider regulating the possession, use, sale, manufacture and/or distribution of all types of firecrackers in the City of Bacoor not only to prevent the loss of lives and properties mentioned above but also to help save the environment from the destructive effects of explosive pyrotechnics devices.

WHEREAS, the Sangguniang Panlungsod deliberated on the City Mayor's request and found it meritorious as it is in keeping with the mandate of the city government to promote the general welfare and maintain the health and safety of its constituents.

NOW THEREFORE, upon motion of Councilor Reynaldo D. Palabrica duly seconded by all the members present, **BE IT ORDAINED AS IT IS HEREBY ORDAINED** by the Sangguniang Panlungsod in regular session assembled that:

Section 1. Title.—This Ordinance shall also be known as the "*Firecracker Regulation Ordinance of the City of Bacoor*".

Section 2. Prohibition on the Possession, Use, Sale, Manufacture, and Distribution of Firecrackers. .—The City of Bacoor hereby prohibits the possession, use, sale, manufacture, and/or distribution of all types of firecrackers within its territorial jurisdiction.

Section 3. Definition of Terms/Rule of Construction.-- The following terms, as used in this Ordinance, shall mean:

- (a) **Firecrackers** shall refer to small explosive pyrotechnic devices primarily designed to produce a large amount of noise, colorful displays, or cracking sounds such as, but not limited to, rebentador, plapla, kanyon, bawang, watusi, fountain, sinturon ni hudas, ahas, whistle bomb, milenyo, goodbye world, and trumpilyo;
- (b) **Fireworks** are a class of explosive pyrotechnics devices used for aesthetic, cultural and religious purposes;
- (c) **Distribution** shall refer to the circulation, supply, or dispersal of any type of firecracker regardless of whether it was done for profit;
- (d) **Manufacture** shall refer to the making, production, or fabrication of any type of firecracker regardless of the point of sale or distribution of the same;
- (e) A **minor** is a person below eighteen (18) years of age or one whose mental abilities are that of a person below 18 years of age as certified by a competent medical authority;



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Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. CATHERINE S. EVARISTO
City Vice Mayor/Presiding Officer

Approved by:

HON. STRIKE B. REVILLA
City Mayor

(f) **Possession** is having in ones person, personal belongings, or vehicle, control or custody any type of firecracker regardless of quantity within the territorial jurisdiction of the City of Bacoor;

(g) **Sale** shall refer to the trading, dealing, or vending of any type of firecracker within the City of Bacoor regardless of quantity; and

(h) **Use** refers to the consumption or utilization of any type of firecracker regardless of whether or not the said product actually exploded while being used or turned out to be defective.

Words used in this Ordinance in the plural sense shall include the singular and vice versa. Words referring to the masculine gender shall include the feminine gender and vice versa. Words not defined in this Ordinance shall be interpreted as it is generally understood.

Section 4. Regulatory Fireworks Display. -- Fireworks displays during the celebration of special public occasions such as fiestas, Chinese New Year, Christmas, and New Year's Eve shall be allowed provided that such celebrations shall only be performed by the city government at a venue chosen by it. The organizing committees of town fiestas or religious celebrations may also hold fireworks displays provided that they would first obtain a Mayor's Permit at least seven (7) days prior to the date of the said celebration.

Public safety shall be the paramount concern in the holding of such fireworks displays. Only juridical entitles duly licensed by the national government or by one of its agencies may take charge of such fireworks displays. Firework displays during the celebration of weddings, birthdays, graduations, or any similar personal milestones or achievements shall not be allowed. A Mayor's Permit issued in favour of a person or juridical entity for the purpose of allowing fireworks displays shall exempt any such person or any other persons employed by such juridical entity (i.e., a corporation, partnership, cooperative, or sole proprietorship) from complying with this ordinance but only within the period indicated in the said permit.

Section 5. Public Information Campaign. - The Public Information Office (PIO) under the Office of the City Mayor shall launch an intensive public information campaign regarding the approval and impending implementation of this Ordinance.

Section 6. Penalties. - The following penalties shall be imposed against any person who violates this Ordinance.

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6.1. For possessing or using firecrackers : Fine of P3,000.00 and the immediate confiscation and destruction of the firecrackers in the possession of the offender at the time of his arrest. The destruction of the said firecrackers shall be done by immersing the said firecrackers in water. **Provided:** that none of the firecrackers found in the possession of the offender shall be stored because of serious safety risks. **Provided further:** that the said firecrackers shall be weighed and photographed for evidentiary purposes before they are destroyed.

If the offender is a minor, the parents or guardians of the said offender shall be held liable to pay the said fine and shall be held liable for violating the pertinent provisions of Republic Act No. 7610 (also known as the "Child Abuse Act") and of other relevant laws.

In case a minor residing within the City of Bacoor is injured or dies for using or while in possession of a firecrackers within city limits, the parents or guardians of the said offender shall be held liable to pay the said fine and shall be held liable for violating the pertinent provisions of Republic Act No. 7610 (also known as the "Child Abuse Act") and other relevant laws.

6.2. For selling and distributing firecrackers: Fine of P5,000.00 and the immediate confiscation and destruction of the firecrackers in the possession of the offender at the time of his arrest. The destruction of the said firecrackers shall be done by immersing the said firecrackers in water. **Provided:** that none of the firecrackers found in the possession of the offender shall be stored because of serious safety risks. **Provided further:** that the said firecrackers shall be weighed and photographed for evidentiary purposes before they are destroyed.

In addition, the owners of industrial, institutional, commercial, or agricultural establishments that violate this Ordinance shall be penalized by requiring them to pay a fine of P5,000.00 plus the cancellation of the business permit of the said establishments.

If the offender is a minor, the parents or guardians of the said offender shall be held liable to pay the said fine and shall be held liable for violating the pertinent provisions of Republic Act No. 7160 (also known as the "Child Abuse Act") and other relevant laws.

In case minors are found to be working at the said establishments at the time that law enforcers entered it while implementing this Ordinance, the owners of the said establishments as well as the parents of the said minors shall be held accountable for violation of the pertinent provisions of R.A. 7610 or of other pertinent laws and of this Ordinance.

If the violation is committed by a business establishment owned or operated by a corporation or partnership, the President, General Manager, or any other person, acting in behalf of either

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the President or General Manager shall be held liable. If the violation is committed by a business establishment owned or operated by a sole proprietorship, the owner, or the person acting in his behalf, shall be held responsible for the said offense.

6.3. For manufacturing firecrackers: Fine of P5,000.00 and the immediate confiscation and destruction of the firecrackers found in the premises of the plant or factory at the time of apprehension. The destruction of the said firecrackers shall be done by immersing the said firecrackers in water. **Provided:** that none of the firecrackers found in the possession of the offender shall be stored because of serious safety risks. **Provided further:** that the said firecrackers shall be weighed and photographed for evidentiary purposes before they are destroyed.

In addition, the owners of industrial, institutional, commercial, or agricultural establishments that violate this Ordinance shall be penalized by requiring them to pay a fine of P5,000.00 plus the cancellation of the business permit of the said establishment.

In case minors are found to be working at the said establishments at the time that law enforcers entered it while implementing this Ordinance, the owners of the said establishments as well as the parents of the said minors shall be held accountable for violation at the pertinent provisions of R.A. 7610 and of this Ordinance.

If the violation is committed by a business establishment owned or operated by a corporation or partnership, the President, General Manager, or any other person, acting in behalf of either the President or General Manager shall be held liable. If the violation is committed by a business establishment owned or operated by a sole proprietorship, the owner or the person acting in his behalf shall be held responsible for the said offense.

Section 7. Administrative Liability. -- Employees or elected officials of the City of Bacoor, including members of the Philippine National Police, the Bureau of Fire Protection, the Bureau of Jail Management and Penology and barangay officials assigned, working, residing, or doing business at the City of Bacoor, shall be held administratively liable subject to pertinent civil service rules or regulations if they are proven to have abetted, benefitted, or supported the possession, sale, use, distribution, or manufacture of firecrackers within the City of Bacoor in violation of the foregoing provisions.

Section 8. Mandatory Reporting of Injuries Requiring Medical Treatment. – All doctors, nurses, pharmacists, or persons who have rendered emergency medical treatment to a minor for injuries related to the use or possession of firecrackers as contemplated in this Ordinance are hereby mandated within ten (10) hours after such treatment, to report the occurrence of such injury or the

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Sangguniang Panlungsod Secretary
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rendition of such treatment to the nearest police station or to the City Social Welfare and Development Office of the City of Bacoor. Such report shall include the following information: (a) name, address, birth date of the injured/patient, (b) name of the parents of the injured/patient, (c) date when the injury happened, (d) place where the injury happened, (e) name, address and contact number of the person who rendered the treatment, (f) place where the treatment was rendered, and (g) description of the injury and pictures thereof.

Section 9. Criminal Liability for Failing to Report Injuries. – All doctors, nurses, pharmacists, or persons who fail to comply with the requirements of the immediately preceding provision shall be considered criminally liable and shall be meted with the following fines:

- 9.1. First Offense Fine of P1,000.00
- 9.2. Second Offense Fine of P2,000.00

Section 10. Administrative Action. – The City Social Welfare and Development Office, the City Legal Services Office, and members of the Philippine National Police assigned at the City of Bacoor are hereby mandated to take whatever administrative action is needed to implement this Ordinance including the apprehension or prosecution of offenders as may be needed.

Section 11. Separability Clause. – If, for any reason or reasons, any part of the provisions of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

Section 12. Repealing Clause. – All Ordinances, resolutions, Circulars, Memorandum or Rules and regulations inconsistent with the provision of this Ordinance are hereby repealed and modified accordingly.

Section 13. Implementing Rules. – The City Mayor is hereby empowered to direct the formulation of the implementing rules and guidelines of this Ordinance. Provided: that the said rules and guidelines should not be contrary to the provisions hereof.

Section 14. Mandatory Review. – The Sangguniang Panlungsod shall review this Ordinance and its implementing rules once every two (2) years following its date of effectivity.

Section 15. Effectivity Clause. – This Ordinance shall take effect immediately upon its publication in a newspaper of general circulation and upon posting in at least three (3) conspicuous places within the City of Bacoor.

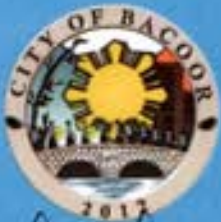
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Attested by:
 ATTY. MARLITO A. ATEGA, JR.
 Sangguniang Panlungsod Secretary

Certified by:
 HON. CATHERINE S. EVARISTO
 City Vice Mayor/Presiding Officer

Approved by:
 HON. STRIKE B. REVILLA
 City Mayor



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ADOPTED this 7th day of April 2014 at the City of Bacoor, Cavite in regular session assembled.

I hereby certify the truth and correctness of the foregoing Ordinance.

Certified by:


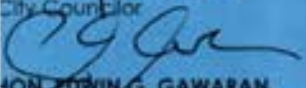
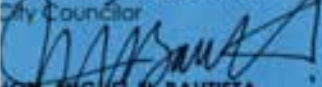
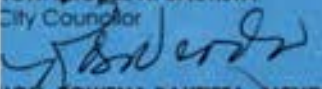
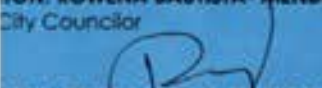
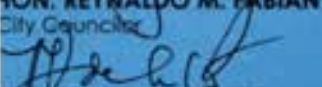
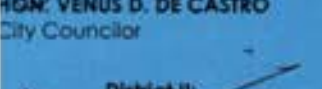


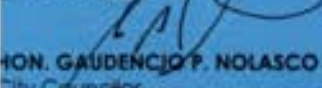

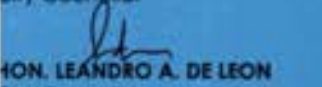
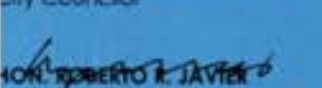


HON. CATHERINE S. EVARISTO
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