



DISTRICT I

HON. MIGUEL N. BAUTISTA
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ROWENA BAUTISTA-MENDIOLA
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

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HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. ROBERTO R. JAVIER
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

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

Certified by:

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

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

CITY ORDINANCE NO. CO 176-2021
Series of 2021

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

Sponsored by:

Hon. Reynaldo D. Palabrica

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Leandro A. De Leon, Hon. Mac Raven Espiritu, Hon. Adrielito G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Alejandro F. Gutierrez, Hon. Hernando C. Gutierrez, Hon. Roberto R. Javier, Hon. Gaudencio P. Nolasco, Hon. Alde Joselito F. Pagulayan, and Hon. Michael E. Solis.

WHEREAS, hundreds of lives and millions of pesos worth of properties are lost every year during Christmas and New Year celebrations due to the use of destructive firecrackers;

WHEREAS, the national government, through the Department of Interior and Local Government, directed local government units to pass ordinances banning the use, sale, manufacture, storage and distribution of all types of firecrackers not only to prevent the loss of lives and properties but also to help save the environment from the devastating effects of pollution caused by explosive pyrotechnic devices;

WHEREAS, in view of the said directive, the City Mayor, Hon. Lani Mercado-Revilla, requested the Sangguniang Panlungsod to pass such an ordinance.

WHEREAS, the Sanggunian 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, unanimously approved by all the councillors present, **BE IT ORDAINED AS IT IS HEREBY ORDAINED** by the Sangguniang Panlungsod in regular online session assembled that:

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



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City Vice Mayor / Presiding Officer

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

Section 2. Prohibition on the Use, Sale, Manufacture, Possession and Distribution of Firecrackers. – The City of Bacoor hereby prohibits the use, sale, manufacture, storage and 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**- are explosive pyrotechnic devices primarily designed to produce a large amount of noise, colorful displays, or cracking sounds such as *rebentador*, *plapla*, *bawang*, *watusi*, *fountain*, *sinturon ni hudas*, *ahas*, *whistle bomb*, *milenyo*, *goodbye world*, and *trumpilyo*;

b) **Fireworks** are a class of explosive pyrotechnic devices used for aesthetic, cultural, and religious purposes;

(c) **Distribution** is the circulation, supply, or dispersal of any type of firecracker regardless of whether it was done for profit;

(d) **Manufacture** is the making, production, or fabrication of any type of firecracker regardless of the point of sale or distribution of the same;

(e) **Sale** is the trading, dealing, or vending of any type of firecracker within the City of Bacoor regardless of quantity; and

(f) **Use** refers to 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.

(g) **Storage** is the possession and/or safekeeping of firecrackers in any quantity.

Words used 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.

Section 3. Regulated 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.



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City Mayor

Public safety shall be the paramount concern in the holding of such fireworks displays. Only juridical entities 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.

Section 4. Public Information Campaign. – The Public Information Office (PIO) under the Office of the City Mayor shall launch an intensive public information campaign regarding the implementation of this Ordinance.

Section 5. Penalties. – The following penalties shall be imposed against any person who violates this Ordinance:

5.1. For using and/or possessing firecrackers:
Fine of Php3,000.00 and the immediate 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 confiscated or 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").

In case a minor residing within the City of Bacoor is injured or dies for using a firecracker 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").

5.2. For selling and distributing firecrackers:
Fine of Php5,000.00 and immediate 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 confiscated or stored because of serious safety risks. **Provided further:** that the said firecrackers shall be weighed and photographed for evidentiary purposes before they are destroyed.



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Approved by:

HON. LAM MERCADO - REVILLA
City Mayor

commercial, or agricultural establishments that violate this Ordinance shall be penalized by requiring them to pay a fine of Php5,000.00 and the business permit of the said establishment shall be cancelled.

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").

In case minors are found to be working at the said establishments at the time that 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 RA 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.

5.3. **For manufacturing firecrackers:** Fine of Php5,000.00 and immediate 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 confiscated or 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 Php5,000.00 and the business permit of the said establishment shall be cancelled.

In case minors are found to be working at the said establishments at the time that 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 RA 7610 and of this Ordinance.



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HON. LAM MERCADO - REVILLA
City Mayor

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.

5.4. **Community Service In Lieu of Imprisonment.** Due to the health risks posed by COVID-19 which are aggravated when inmates are incarcerated in overcrowded detention centers, persons found convicted by a court of law for violating this Ordinance shall not be imprisoned but shall be required to render community service pursuant to the provisions of Republic Act No. 11362 (the "Community Service Act") and its implementing guidelines while the City of Bacoor is under quarantine or while its detention centers are overcrowded.

Section 6. 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, benefited, or supported the sale, use, distribution, or manufacture of firecrackers within the City of Bacoor in violation of the foregoing provisions.

Section 7. 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 8. Repealing Clause. -- All Ordinances, resolutions, Circulars, Memorandums or Rules and regulations inconsistent with the provision of this Ordinance are hereby repealed and modified accordingly.

Section 9. 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 10. Mandatory Review. -- The Sangguniang Panlungsod shall review this Ordinance and its implementing rules once every two (2) years following its date of effectivity.



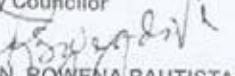
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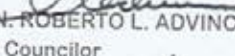

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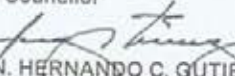

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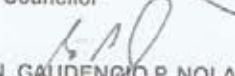

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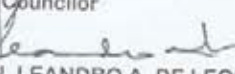

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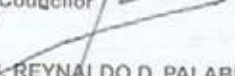

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Approved by:


HON. LANI MERCADO - REVILLA
City Mayor

Section 11. Effectivity Clause. – This Ordinance shall take effect immediately upon its posting in at least three (3) conspicuous places within the City of Bacoor.

ADOPTED this 6th day of September 2021 at the City of Bacoor, Cavite in special session assembled.

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

Certified by:



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

Attested by:



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

Approved by:



HON. LANI MERCADO-REVILLA
City Mayor

Date of Approval : 13 SEP 2021