



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF
SIAYAN, ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE
22ND DAY OF APRIL 2019.

PRESENT:

Hon. Primitivo D. Castillo, Asst. Majority Floor Leader,	Sangguniang Bayan Member
Hon. Emelyn P. Alumbre, Majority Floor Leader,	-do-
Hon. Norma R. Labastida	-do-
Hon. Ma. Roselyn G. Secretario,	-do-
Hon. Oliver A. Romero,	-do-
Hon. Josecor S. Gepolongca, LIGA President,	-do-
Hon. Phil A. Saraga, SK Fed. President,	-do-
Hon. Johnny C. Anugon, Sr., IPMR,	-do-

ABSENT:

Hon. Dalsy A. Limbang, Presiding Officer	Municipal Vice Mayor
Hon. Raul P. Dominise,	Sangguniang Bayan Member
Hon. Nadine R. Pollescas, Minority Floor Leader,	-do-
Hon. Vanessa Lyn B. Atuy,	-do-

**"MUNICIPAL ORDINANCE NO. 19-09
Series of 2019**

**AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE SALE,
DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER PYROTECHNIC
DEVICES, AND PROHBITING THE MANUFACTURE OF THE SAME IN THE
MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE**

PREFATORY STATEMENT

**In compliance with the mandate of RA 7183 known as 'AN ACT REGULATING
THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF FIRECRACKERS AND
OTHER PYROTECHNIC DEVICES' for furtherance of public safety, order and national
security as well as the enhancement of the cultural traditions, hence this enactment.**

BE IT ORDAINED by the Sangguniang Bayan in session assembled:

SECTION 1. TITLE. This shall be known as the **"FIRECRACKER AND
PYROTECHNIC DEVICES ORDINANCE OF THE MUNICIPALITY OF SIAYAN,
ZAMBOANGA DEL NORTE"**.

SECTION 2. PURPOSE. It is the purpose of this Ordinance to regulate the sale,
distribution and use of firecrackers and other pyrotechnic devices consistent with, and in firtherance
of public safety, order and security.

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following
terms shall mean and be interpreted as hereunder defined:

- Firecracker-** A small explosive charge and a fuse in a heavy paper casing, exploded to make noise;
- Manufacture-** Making of firecrackers whether in personal or commercial quantities or purposes.
- Pyrotechnic Device-** A device that produces a bright light, either for illumination purposes or a colored light for warning or entertainment, and is consumed in the process.
- Wholesaler-** Person or entity that sells firecrackers and pyrotechnic devices in large quantities, as for resale by a retail.
- Retailer-** Person or entity that sells firecrackers and pyrotechnic devices in small quantities directly to consumers or end users.
- Government Center-** refers to the area or place for selling and distributing firecrackers and pyrotechnic devices. Commonly known as the site of the old public market of this municipality.
- Minor-** refers to eighteen (18) years old and below are prohibited to buy firecrackers.

SECTION 4. MANUFACTURE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES. Manufacture of firecrackers and other pyrotechnic devices is strictly prohibited in the Municipality Siayan, Zamboanga del Norte.

SECTION 5. DESIGNATED SELLING AREA. All sales and distribution of firecrackers and other pyrotechnic devices shall be undertaken only at the Municipal Plaza.

SECTION 6. PERIOD OF SELLING. The sale and distribution of firecrackers and pyrotechnic devices shall be allowed only for the period from December 10 to 31 every year.

SECTION 7. DESIGNATED AREA FOR USE OF FIREWORKS. The designated area for use of fireworks and pyrotechnic devices in Poblacion, Siayan, Zamboanga del Norte shall be at the bagsakan area, riverbank and municipal cemetery.

SECTION 8. TYPES OF FIRECRACKERS ALLOWED. The Following common types of firecrackers may be sold, distributed and used:

- a. **Baby rocket-** a firecracker with a stick so constructed that lightning of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about one and a half ($1\frac{1}{2}$) inches in length by three eight ($\frac{3}{8}$) inch in diameter, while the stick is about a foot in length;
- b. **Bawang-** A firecracker larger than a triangulo with one third ($\frac{1}{3}$) teaspoon of powder packed in caardboard tied around with abaca string and wrapped in shape of garlic;
- c. **Small triangulo-** A firecracker shaped like a triangle with powder content less than the bawang and usually wrapped in brown paper measuring three fourth ($\frac{3}{4}$) inch length in its longest side;
- d. **Pulling of Strings-** A firecracker consisting of a small tube about an inch in length and ess than one forth ($\frac{1}{4}$) of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
- e. **Paper caps-** Made of black powder spread in either small strips of paper on a small sheet used for children's toy guns;
- f. **El Diablo-** Firecrackers tubular in shape about one and one fourth ($1\frac{1}{4}$) inches in length and less than ($\frac{1}{4}$) inch in diameter with a wick; also kown as labintador;
- g. **Judah's belt-** A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred, culminating in large firecracker usually a bawang;
- h. **Sky rocket (kwitis)-** A large version of a baby rocket designed to be propelled to a height of forty (40) and fifty (50) feet before exploding; and,
- i. Other types equivalent to the foregoing in explosive content.

SECTION 9. TYPES OF PYROTECHNIC DEVICES ALLOWED. The following common types of pyrotechnic devices may be sold, distributed and used:

- a. **Sparkles-** 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;
- b. **Luces-** Any several kinds of sparkles;
- c. **Fountain-** A kind of sparkle conical in shape which is lighted on the ground and designated to provide various rising colors and intermittent lights upon being ignited;
- d. **Jumbo regular and special-** A kind of sparkler similar to a "fountain" but bigger in size;
- e. **Mabuhay-** Sparkler bunched into bundle of a dozen pieces;
- f. **Roman Candle-** A sparkler similar to a "fountain" but shaped like a big candle;
- g. **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;

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

SECTION 10. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES. The sale, distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the foregoing section, of such explosive content that could endanger life and limb, and containing more than one third (1/3) teaspoon of gunpowder shall be prohibited such as the atomic big triangulo, super lolo, lolo thunder, bawang (Large), Plapla, Kwiton, Giant Whistle, Judas Belt (Large), Og, Atomic Bomb, Piccolo, Goodbye Philippines, Kabasi, and their equivalent, as well as Watusi and Boga, a pyrotechnic device made in pipes (PVC), tin cans, metals, to include the traditional Boga which is made of Bamboo.

Determination of what constitutes prohibited firecrackers and pyrotechnic devices not herewith included shall be vested with the Philippine National Police (PNP).

Hereinafter, all firecrackers and pyrotechnic devices declared by the PNP as prohibited shall also be declared in this ordinance as illegal.

SECTION. 11. TEMPORARY BUSINESS PERMIT. Temporary business permit shall be granted for the sale and distribution of firecrackers and other pyrotechnic debices enumerated in Section 7 and 8 hereof upon application. Under no circumsstance shall a temporary permit be granted for the sale, distribution, and/ or use of prohibited firecrackers and other pyrotechnic devices mentioned in Section 9 hereof.

No permit shall be issued by the municipal government without the PNP and BFP Certification and other requirements to sell or distribute.

SECTION 12. FEES. The following fees shall be charged for the issuance od a temporary business permit based on the type of business, to defray the cost of regulating the sale and distribution of firecrackers and pyrotechnic devices:

- A. Mayor's Permit Fee**
On Wholesalers/Retailers/Dealers or Distributors

Micro	-	330.00
Small	-	440.00
Medium	-	880.00
Large	-	1,100.00
- B. Fire Inspection Fee - 150.00**
- C. Garbage Fee**
 - a. Not more than 10-sq.m. - 100.00
 - b. More than 10-sq.m. - 500.00

SECTION 13. SAFETY GUIDELINES ON THE SALE AND DISTRIBUTION OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES. Strict compliance to the following safety guidelines shall be observed by the sellers and buyers of firecrackers and pyrotechnic devices:

- a. No Smoking Ordinance is strictly enforced.
- b. Making of kindling a fire whether for cooking, or for other purposes shall be 100 meters radius from the selling area.
- c. Each seller shall provide a fire extinguisher and two (2) pails of water, at least eight (8) gallons shall be provided for safety and protection.
- d. All displayed firecrackers/pyrotechnic devices shall be wrapped in plastic bag leaving no wick exposed.
- e. There shall be a distance of no less than two (2) meters between sellers.

- f. Testing of firecrackers and/or pyrotechnic devices shall likewise be prohibited at the premises or area of the Government Center.

SECTION 14. PROHIBITION OF MINORS. Minors below eighteen (18) years old and below shall be prohibited to buy firecrackers.

SECTION 15. ADMINISTRATIVE PROVISIONS.

- a. The PNP shall be primarily responsible for the administration and enforcement of this ordinance, in coordination with the Bureau of Fire Protection (BFP) and the Municipal Government of Siayan, ZN.
- b. All prohibited firecrackers and other pyrotechnic devices sold in the municipality shall be confiscated and disposed-off accordingly.
- c. The PNP shall not be precluded from transmitting and filing cases for prosecution arising from violations of this Ordinance to proper government prosecutors for appropriate action.
- d. The Municipal Government through the Business Permit and License Office shall automatically cancel the temporary business permit of those who sell and distribute prohibited firecrackers and other pyrotechnic devices.

SECTION 16. PENALTY CLAUSE. For selling firecrackers and other pyrotechnic devices without the temporary business permit, violation thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00).

-For selling prohibited firecrackers and other pyrotechnic devices, violation thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00).

-For selling firecrackers and other pyrotechnic devices outside the designated selling area, violation thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00).

-For selling firecrackers and other pyrotechnic devices beyond the period of selling, violation thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00).

-For violating any of the safety guidelines on the sale and distribution of firecrackers and other pyrotechnic devices provided in Section 12 thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) for every offense.

-For violating on the use of prohibited firecrackers and pyrotechnics provided on Section 9 thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) for every offense.

SECTION 17. REPEALING CLAUSE. Any Ordinance of the Municipality or portion thereof which is inconsistent with the provisions of this Ordinance is deemed repealed or modified accordingly.

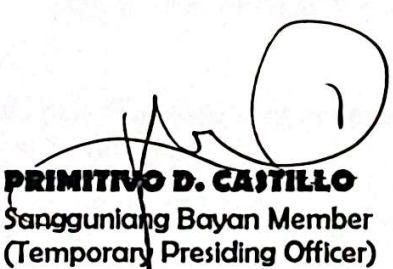
SECTION 18. SEPARABILITY CLAUSE. If for any reason, any portion or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions thereof which are not affected shall continue to be in full force and effect.

SECTION 19. EFFECTIVITY CLAUSE. This Ordinance shall take effect Thirtieth (30) days after publication in a local newspaper.

Enacted this 22nd day of April, 2019.

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.

CERTIFIED CORRECT
AS TO ITS PASSAGE:


PRIMITIVO D. CASTILLO
Sangguniang Bayan Member
(Temporary Presiding Officer)

APPROVED:


WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary


FLORA L. VILLAROJA
Municipal Mayor
Date: 2-29-19