



MUNICIPAL ORDINANCE NO. 24
 Series 2017

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"AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE SALE, DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES, AND PROHIBITING THE MANUFACTURE OF ILLEGAL/PROHIBITED FIRECRACKERS AND PYROTECHNIC DEVICES IN THE MUNICIPALITY OF BAYAMBANG, PANGASINAN."

EXPLANATORY NOTES:

WHEREAS, the Municipality of Bayambang has experienced incidents which resulted to loss of properties and lives due to irresponsible and indiscriminate use of firecrackers and pyrotechnic devices;

WHEREAS, there is a need for us to take great steps to regulate the use of firecrackers in order to minimize, if not to eradicate accidents that might result to loss of the Municipality's ancestral heritage treasures;

WHEREAS, our social and cultural practice of using firecrackers and pyrotechnics must be regulated in order to achieve social stability;

NOW THEREFORE, on motion of SB Member Amory M. Junio, duly seconded;

Be it enacted by the Sangguniang Bayan in session duly assembled that:

SECTION 1. TITLE. This Ordinance shall be known as the Firecracker Ordinance of Bayambang, Pangasinan.

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 furtherance 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:

- a. **Firecracker** – A small explosive charge and a fuse in a heavy paper casing, exploded to make noise, as at celebrations.
- b. **Manufacture** – Making of firecrackers whether in personal or commercial quantities or purposes.
- c. **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.
- d. **Wholesaler** – Person or entity that sells firecrackers and pyrotechnic devices in large quantities, as for resale by a retailer.
- e. **Retailer** – Person or entity that resells firecrackers and pyrotechnic devices in small quantities directly to consumers or end users.

SECTION 4. DESIGNATED SELLING AREA. All sales and distribution of firecrackers and other pyrotechnic devices shall be undertaken only in Barangay Bani. No person, natural or juridical, shall make, manufacture or sell pyrotechnics within a radius of three hundred (300) meters away from residential areas.

In so far as Barangay Bani is concerned, a sole and exclusive Zone for the sale and distribution of firecrackers and pyrotechnic material is hereby established along Barangay Bani fifty (50) meters after the Hand of Heaven, Memorial Park.











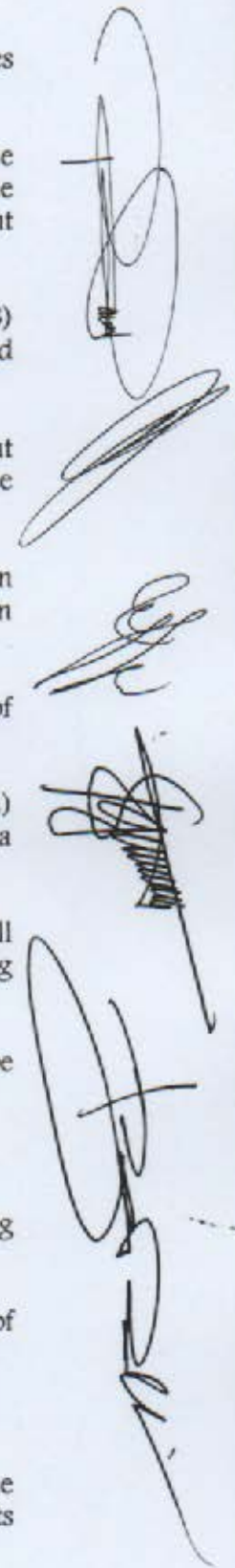

SECTION 5. PERIOD OF SELLING. The sale and distribution of firecrackers and pyrotechnic devices within the territorial boundaries of the municipality shall be allowed only for the period from December 16 to December 31.

SECTION 6. 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 ½) inches in length by three eight (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 (1/3) teaspoon of powder packed in cardboard 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 (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 less than one fourth (1/4) of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
- e. **Paper caps** – Minute amount 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 ¼) inches in length and less than one fourth (1/4) inch in diameter with a wick; also known as labintador;
- g. **Judah's belt** - A string of firecrackers consisting of either diablos or small triangulos that can number up to a hundred or thereabout and culminating in large firecracker usually a bawang;
- h. **Sky rocket (kwitis)** – A large version of a baby rocket designated to be propelled to a height of forty (40) to fifty (50) feet before exploding; and,
- i. Other types equivalent to the foregoing in explosive content.

SECTION 7. TYPES OF PYROTECHNIC DEVICES ALLOWED. The following common types of pyrotechnic devices may be sold, distributed and used:

- a. **Sparklers** – 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 of several kinds of sparklers;
- c. **Fountain** – A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermitted lights upon being ignited;
- d. **Jumbo regular and special** – A kind of sparkler similar to a "fountain" but bigger in size;
- e. **Mabuhay** – Sparklers bunched into a 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



- 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 various 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); and,

SECTION 8. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES. The manufacture, 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 thunder, bawang (Large), Flapla Kwiton, Giant Whistle, Judas Belt (Large), Og, Atomic Bomb, Piccolo, Goodbye Philippines, Kabasi, and their equivalent, as well Watusi and Boga, a pyrotechnic device made of pipes (PVC), tin cans, metal, 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 Philippines National Police (PNP).

Hereinafter, all firecrackers and pyrotechnic devices declared by the PNP as prohibited shall also be adopted by the Municipality as illegal.

SECTION 9. TEMPORARY BUSINESS PERMIT. Temporary business permit shall be granted for the sale and distribution of firecrackers and other pyrotechnic devices enumerated in Section 6 and 7 hereof upon application. Under no circumstance shall a temporary permit be granted for the sale, distribution, and/or use of prohibited firecrackers and other pyrotechnic devices mentioned in Section 8 hereof.

No Permit shall be issued without the PNP license to sell or distribute.

SECTION 10. FEES. The following fees shall be charged for the issuance of 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	
a. For Wholesaler	PhP 300.00
b. For Retailer	150.00
B. Regulatory fees	
a. Fire Clearance fee	85.00
b. Garbage fee	200.00

SECTION 11. 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. Smoking shall be prohibited in the designated selling area.
- b. Making or kindling a fire whether for cooking or for other purposes at the designated selling area shall be prohibited.
- c. Each seller shall provide a fire extinguisher. In its absence, two (2) pails of water, at least four (4) liters/pail shall be provided for safety and protection.
- d. All displayed firecrackers/pyrotechnic devices shall be wrapped in plastic



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- e. There shall be a distance of no less than two (2) meters between sellers.
- f. Testing of firecrackers and/or pyrotechnic devices shall be prohibited within the premises of the designated selling area.

SECTION 12. ADMINISTRATIVE PROVISIONS.

- a. The PNP shall be primarily responsible for the administration and enforcement of this Ordinance, in coordination with the Municipal Government of Bayambang.
- b. All prohibited firecrackers and other pyrotechnic devices sold in the municipality shall be confiscated and disposed of accordingly by the PNP.
- c. All illegal items (firecrackers and pyrotechnic devices) seized will be soaked in water and then buried on the ground.
- d. 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.
- e. The Municipal Government through the Business Permits and License Office shall automatically cancel the temporary business permit of those who sell and distribute prohibited firecrackers and other pyrotechnic devices.

SECTION 13. 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 (P2,500.00)

For selling prohibited firecrackers and other pyrotechnic devices, violation thereof shall subject the offender to a fine of Two Thousand Five Hundred Pesos (P 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 (P2,500.00)

For violating any of the safety guidelines on the sale and distribution of firecrackers and other pyrotechnic devices provided in Section 11 hereof shall subject the offender to a fine the One Thousand Five Hundred Pesos (P1,500.00) for every offense.

SECTION 14. 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 15. 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 16. EFFECTIVITY CLAUSE. This Ordinance shall take effect upon approval and compliance with the publication requirements.

ENACTED this 22nd day of August 2017.



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THE LONGEST BARBECUE
 Bayambang, Pangasinan, Philippines
 April 4, 2014


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Certified to be duly adopted and approved:


 JOEL V. CAMACHO
 Secretary to the Sanggunian

ATTESTED:


 HON. KAUL R. SABANGAN
 Municipal Vice Mayor &
 Presiding Officer

WITH THE CONCURRENCE OF THE
 SANGGUNIANG BAYAN


 HON. MYLVIN T. JUNIO


 HON. JOSEPH VINCENT E. RAMOS


 HON. PHILIP R. DUMALANTA



 HON. BENJAMIN FRANCISCO S. DE VERA


 HON. JUNIE J. ANGELES

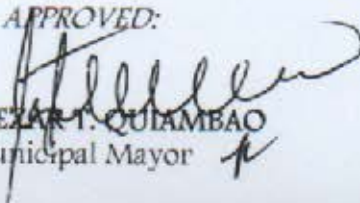

 HON. MARTINE E. TERRADO II


 HON. MA. CATALINA E. DE VERA


 HON. AMORY M. JUNIO


 HON. ROGELIO P. DUMALANTA
 Pangulo, Liga ng mga Barangay

APPROVED:


 HON. CESAR T. QUIAMBAO
 Municipal Mayor