



Republic of the Philippines
City Government of Meycauayan
Province of Bulacan

Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE 1ST SPECIAL SESSION IN THE YEAR 2023
OF THE 7TH SANGGUNIANG PANLUNGSOD OF THE CITY OF MEYCAUAYAN, BULACAN,
HELD AT THE SESSION HALL OF THE CITY HALL BUILDING ON JULY 10, 2023.

Present:

JOSEFINA O. VIOLAGO	City Vice Mayor (Presiding Officer)
ANNA KATHRINA M. HERNANDEZ	City Councilor
MARIANO V. ALARILLA II	City Councilor
RONALD S. PALOMARES	City Councilor
JERIMECO S. DULALIA	City Councilor
RAOUL M. ATADERO	City Councilor
MARIO T. BERBOSO	City Councilor
DANILO B. ABACAN, JR.	City Councilor
LARISSA DS. ABRACERO-SAN DIEGO	City Councilor
WILFREDO DS. MACATULAD	City Councilor
ROVIELYN A. CABIGQUEZ	City Councilor
OLIVERT Y. DUYA	President, LnB
CRISANTO NIÑO D. CAPARAS	President, SK Federation

All are present.

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CITY ORDINANCE NO. 354 (OF 2023)

AN ORDINANCE AMENDING CITY ORDINANCE NO. 2018-004, WHICH REGULATES THE DISTRIBUTION AND SALE OF FIRECRACKERS AND PYROTECHNIC DEVICES OR OTHER SIMILAR DEVICES, AND THE USE AND HANDLING OF THE SAME IN THE CITY OF MEYCAUAYAN, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, Republic Act No. 7183, otherwise known as, “*An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices*” was enacted on January 30 1992, with the purpose to regulate and control the manufacture, sale, distribution and use of firecrackers and other pyrotechnic devices consistent with, and in furtherance of, public safety, order and national security, as well as the enhancement of the cultural traditions;

WHEREAS, former President Rodrigo Roa Duterte issued Executive Order No. 28 on June 20, 2017 entitled, “*Providing for the Regulation and Control of the Use of Firecrackers and Other Pyrotechnic Devices,*” in which the Local Chief Executives are authorized to promulgate the necessary rules and regulations on firecrackers and other pyrotechnic devices within their territorial jurisdiction in conformity with the national standards, rules and regulations;

WHEREAS, on August 22, 2017, the Department of Interior and Local Government (DILG) issued Memorandum Circular No. 2017-10 entitled, “*Regulation and Control of the Use of Firecrackers and Other Pyrotechnic Devices,*” clarifying Section 2 of the Executive Order No. 28;

WHEREAS, on December 19, 2017, the DILG issued Memorandum Circular No. 2017-168 entitled, “*Supplemental Guidelines for DILG Memorandum Circular No. 2017-105, dated*

August 22, 2017 entitled, "Regulation and Control of the Use of Firecrackers and Other Pyrotechnic Devices," Clarifying Section 2 of Executive Order No. 28," for the purpose of providing additional guidance to all concerned particularly on allowable and prohibited types of fireworks;

WHEREAS, considering the substantial number of firecracker related injuries and casualties, recorded every year, some involving bystanders and the rise in air pollution it causes in the aftermath of fireworks displays during events of personal, religious, cultural and national importance, especially during New Year's Eve, the Sangguniang Panlungsod deemed it necessary to further define the scope of this Ordinance to address primarily the safety of the community and to provide a firm security for all constituents thus, assuring its full implementation.

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Panlungsod of Meycauayan, in a session duly assembled, that:

SECTION 1. DECLARATION OF POLICY. It is the policy of the City Government of Meycauayan to regulate the sale, distribution and use of firecrackers and pyrotechnic devices consistent with, and in the furtherance of, public safety, order and security, and at the same time keeping the cultural tradition of the locality. It is also to address the proper way of handling the firecrackers and pyrotechnic devices during actual fireworks display.

SECTION 2. ALLOWED OR PERMITTED FIRECRACKERS AND PYROTECHNIC DEVICES AS PROVIDED UNDER REPUBLIC ACT NO. 7183. The following common types of firecrackers and pyrotechnic devices are regulated for sale and use:

A. Firecrackers.

1. *Baby Rocket*- A firecracker with a stick so constructed that lighting of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about 1 1/2 inches in length by 3/8 inch in diameter while the stick is about a foot in length;
2. *Bawang*- A firecracker larger than a *triangulo* with 1/3 teaspoon of powder packed in cardboard tied around with abaca strings and wrapped in shape of garlic;
3. *El Diablo*- Firecrackers tubular in shape about 1 1/4 inches in length and less than 1/4 inch in diameter with a wick, also known as *labintador*;
4. *Judas' Belt*- A string of firecrackers consisting of either *diablos* or small *triangulos* that can number up to a hundred or thereabout and culminating in a large firecracker usually a *bawang*;
5. *Paper Caps*- Minute amount of black powder spread in either small strips of paper or on a small sheet used for children's toy guns;
6. *Pulling of Strings*- A firecracker consisting of a small tube about an inch in length and less than 1/4 of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
7. *Sky Rocket (Kwitis)*- A large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (50) feet before exploding;
8. *Small Triangulo*- A firecracker shaped like a triangle with powder content less than the *bawang* and usually wrapped in brown paper measuring 3/4 inch length in its longest side; and
9. Other types of firecrackers that are NOT oversized, overweight and imported.

B. Pyrotechnic Devices.

1. *Butterfly*- Butterfly-shaped pyrotechnic device designed to lift above ground which providing light;

2. *Fountain*- A kind of sparkler conical in shape which is lit on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
3. *Jumbo Regular and Special*- A kind of sparkler similar to a "fountain" but bigger in size;
4. *Luces*- Any of several kinds of sparklers;
5. *Mabuhay*- Sparklers bunched into a bundle of a dozen pieces;
6. *Roman Candle*- A sparkler similar to a "fountain" but shaped like a big candle;
7. *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;
8. *Trompillo*- A pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counterclockwise and provides various colored lights upon being ignited;
9. *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;
10. All kinds of pyrotechnic devices (*pailaw*); and
11. Other types equivalent to the foregoing pyrotechnic devices.

The use of these firecrackers and pyrotechnic devices shall be subject to the provisions of this ordinance.

SECTION 3. SAFETY GUIDELINES IN THE USE OF FIRECRACKERS AND/OR PYROTECHNIC DEVICES.

- a. The Punong Barangays shall be required to designate an area in their jurisdiction which is safe for use of permitted firecrackers and/or any pyrotechnic device for the community (Community Fireworks Display) or any individual.
- b. The use of firecracker and/or pyrotechnic devices during the occasion like Christmas, New Year's Eve, Fiestas, and other traditional celebrations, or for competition, or any other similar event shall only be allowed at places with a distance of TEN (10) meters away from any house, establishment and other structure especially gas stations, electrical aid communications facilities and storages of flammable and combustibile materials;
- c. The Community Fireworks Display shall be conducted under the supervision of a personnel deputized by the Bureau of Fire Protection (BFP) who may be assigned directly by the BFP or trained personnel assigned by the Punong Barangay within his jurisdiction;
- d. Smoking within the area of the Community Fireworks Display or within TEN (10) meters of any firecracker or any pyrotechnic device shall not be allowed;
- e. A WRITTEN PERMIT duly approved and signed by the City Administrator, specifying the place, date, and time of the fireworks display, in conformity with the national standards, rules and regulations shall be required for the conduct of a community fireworks display;
- f. Other requirement set by any national law relative to the use of firecracker or any pyrotechnic device shall be deemed to become part of this ordinance.

SECTION 4. FIREWORKS DISPLAY OR PYROTECHNIC USE FOR PERSONAL OCCASION.

Any person or entity who desires to use firecrackers and/or pyrotechnic devices for personal occasion shall apply for a Barangay Clearance and Permit, and will only be allowed to use the same in the place and time indicated in said permit.

SECTION 5. DESIGNATED AREA FOR SELLING ALLOWED FIRECRACKERS AND/OR PYROTECHNIC DEVICES. The Bureau of Fire Protection, the City Engineer's Office, and the Business Permit and Licensing Office (BPLO) are hereby mandated to determine and recommend to the City Mayor a safe area within the City to sell firecrackers and pyrotechnic devices. No testing of firecrackers and/or pyrotechnic devices shall be allowed in such area or any other area for that matter.

The sale of allowed firecrackers outside the designated firecracker areas shall be strictly prohibited and punishable by law. Violators shall be subject to appropriate penalties and the firecrackers subject of such sale or any transaction shall be confiscated and disposed of accordingly.

SECTION 6. REQUIREMENTS FOR SELLING ALLOWED FIRECRACKERS AND PYROTECHNIC DEVICES. Every stall or store in the designated area for trade with commodities on display shall:

- a. be separated from each other by a firewall with a fire resistance rating of not less than two (2) hours as determined by the BFP; and
- b. provide fire extinguisher/s in accordance with segment 3.2.5.2 (a) and (c) respectively, of the Joint Memorandum Circular No. 01 series of 2014 by the Department of the Interior and Local Government (DILG), Department of Health (DOH), Department of Finance (DOF), and Department of Trade and Industry (DTI).

SECTION 7. PROHIBITED FIRECRACKERS AND PYROTECHNIC DEVICES. The sale, distribution and use of the following firecrackers and pyrotechnic devices are prohibited due to its hazardous materials and/or magnitude of explosion that may endanger life and limb:

- a. Atomic Bomb;
 - b. Atomic Triangle;
 - c. Bin Laden;
 - d. Boga;
 - e. Coke-in-can;
 - f. Five Star;
 - g. Giant Bawang;
 - h. Giant Whistle Bomb;
 - i. Goodbye Bading;
 - j. Goodbye Delima;
 - k. Goodbye Napoles;
 - l. Goodbye Philippines;
 - m. Hello Columbia;
 - n. Kabasi;
 - o. Kwiton;
 - p. Large-size Judas' Belt;
 - q. Lolo Thunder;
 - r. Mother Rockets;
 - s. Oversized and Overweight Pyrotechnic Devices;
 - t. Piccolo;
 - u. Pillbox;
 - v. Pla-pla;
 - w. Poppop;
 - x. Super Lolo;
 - y. Super Yolanda;
 - z. Watusi;
- aa. All imported finished products; and
 - bb. Other types of firecrackers and pyrotechnic devices with other brands/names equivalent to the foregoing.

Any firecracker, pyrotechnic devices or other similar device not listed in this Ordinance, but has a fuse that burns in less than three (3) seconds and not more than six (6) seconds or those firecrackers whose gunpowder contents exceed the limit of two (2) grams are also deemed PROHIBITED.

SECTION 8. PROHIBITION ON THE SALE OF FIRECRACKERS AND/OR PYROTECHNIC DEVICES TO CHILDREN. It shall be strictly prohibited to sell any form or type of firecrackers and/or pyrotechnic devices to Children. For purposes of this Ordinance, Children shall include individuals below eighteen (18) years old and those of age but mentally and/or physically incapacitated.

SECTION 9. CHILDREN HANDLING AND USING FIRECRACKERS AND/OR PYROTECHNIC DEVICES. No person under fifteen (15) years of age shall be allowed to handle and use any and all types of firecrackers and pyrotechnic devices and other similar devices. However, children who are fifteen (15) years of age but below eighteen (18) years old may be permitted to handle and use allowed firecrackers and pyrotechnic devices listed herein with strict supervision of their guardian who should at least be twenty-one (21) years of age and shall take full responsibility of any and all acts of the children he/she allowed to handle and use the permitted firecracker/s and pyrotechnic device/s.

SECTION 10. PENALTIES. Without prejudice to the provisions of Republic Act No. 7183, Executive Order No.28, DILG Memorandum Circular Nos. 2017-105 and 2017-168, and other applicable laws, any person, group or juridical person who violates any of the provisions of this Ordinance, or cause the same to be done, shall suffer the penalty of imprisonment of not less than six (6) months nor more than one (1) year or a fine of Five Thousand Pesos (P5,000.00) or both, at the discretion of the court.

In addition to the foregoing, any violation of this Ordinance shall cause the immediate revocation of the business permit and license to operate of the seller-violator and shall be perpetually banned from operating any business in the City. Firecrackers and/or pyrotechnic devices subject of the violation shall be confiscated and disposed of properly under the supervision of the BFP.

SECTION 11. SEPARABILITY CLAUSE. If, for any reason, any part of the provisions of this ordinance shall be declared unconstitutional or rendered invalid, the other parts or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 12. REPEALING CLAUSE. Any existing laws, ordinance, and executive orders contrary to or inconsistent with this ordinance are hereby repealed, modified, or amended accordingly.

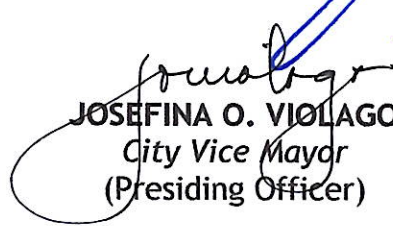
SECTION 13. EFFECTIVITY. This Ordinance shall take effect after its posting at the Sangguniang Panlungsod Bulletin Board in the City Hall for a period of three (3) consecutive weeks and its publication in a newspaper of general circulation within the territorial jurisdiction of the City of Meycauyan.


APPROVED UNANIMOUSLY.


I hereby CERTIFY that this Ordinance was approved by the Sangguniang Panlungsod.


ATTY. BERNARD JOSEPH E. DOMINGO
Secretary to the Sangguniang Panlungsod

ATTESTED BY:


JOSEFINA O. VIOLAGO
City Vice Mayor
(Presiding Officer)


ANNA KATHRINA M. HERNANDEZ
City Councilor

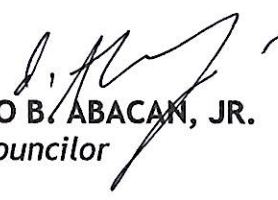

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President, LnB


CRISANTO NIÑO D. CAPARAS
President, SK Federation

APPROVED by the City Mayor this _____ day of 12 JUL 2023, 2023:


ATTY. HENRY R. VILLARICA
City Mayor