



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE THIRD REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 10TH DAY OF DECEMBER, 2018 AT 10:50 O'CLOCK IN THE MORNING.

PRESENT:

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Domingo C. Ambrocio, Jr.	Member;
Hon. Ariel B. Villa	Member;
Hon. Efren C. Butay	Member
Hon. Norberto S. Dadiz, Jr.	Member;
Hon. Orlando B. Badua	Member.
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Juanito P. Ulep, Jr.	Member/Liga ng mga Barangay President.
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

ABSENT:

Hon. Angel Miguel L. Hernando	Member (On-Leave);
Hon. Manuel D. Coloma, Sr.	Member (On-Leave).

“MUNICIPAL ORDINANCE NO. 2018-27

AN ORDINANCE REGULATING THE SALE, DISTRIBUTION, POSSESSION OR USE OF FIRECRACKERS AND PYROTECHNIC DEVICES AND SUCH OTHER SIMILAR DEVICES WITHIN THE TERRITORIAL JURISDICTION OF SAN NICOLAS, ILOCOS NORTE.

Be it ordained by the Sangguniang Bayan of San Nicolas, Ilocos Norte in session assembled, that:

SECTION 1. Purpose of this Ordinance. – It is the purpose of this Ordinance to regulate the sale, distribution, possession and use of firecrackers or pyrotechnic devices and such other similar devices within San Nicolas, Ilocos Norte in furtherance of public safety, peace, order and security of the community.

SECTION 2. Prohibited Acts. – (a) It shall be unlawful for any person or business establishment to sell or offer for sale, distribute, use any firecrackers or pyrotechnic device or such other similar devices in places not designated by the Local Chief Government Unit within the municipality of San Nicolas; The Mayor is hereby authorized to designate places where firecrackers and pyrotechnic devices will be offered for sale. The safety of the public should be the primordial consideration.

(b) It shall, likewise, be unlawful for any person or business establishment to sell firecrackers or pyrotechnic devices to minors within the territory of San Nicolas, Ilocos Norte.

(c) The following firecrackers and pyrotechnic devices may be sold, distributed and used pursuant to RA 7183:

i. 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 ½ 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. Small triangulo — A firecracker shaped like a triangle with powder content less than the bawang and usually wrapped in brown paper measuring ¾ inch length in its longest side;
4. Pulling of strings — A firecracker consisting of a small tube about an inch in length and less than ¼ of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode;
5. Paper caps — Minute amount of black powder spread in either small strips of paper on a small sheet used for children's toy guns;
6. El diablo — Firecrackers tubular in shape about 1 ¼ inches in length and less than ¼ inch in diameter with a wick; also known as labintador;
7. Watusi — Usually reddish in color about 1 ½ inches in length and 1/10 inch in width usually ignited by friction to produce a dancing movement and a crackling sound;
8. 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;
9. 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;
10. Other types of firecrackers equivalent to the foregoing in explosive content.

ii. Pyrotechnic Devices:

1. 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;
2. Luces — Any of several kinds of sparklers;
3. Fountain — A kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
4. Jumbo regular and special — A kind of sparkler similar to a "fountain" but bigger in size;



- 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; chan robes virtual law library;
- 7. 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;
- 8. 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;
- 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. Butterfly — Butterfly-shaped pyrotechnic device designed to lift above ground while providing light; and
- 11. All kinds of pyrotechnic devices (pailaw);

SECTION 3. 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, such as atomic big triangulo and super lolo and their equivalent are hereby prohibited. Determination of what constitutes prohibited firecrackers and pyrotechnic devices shall be vested with the Philippine National Police (PNP).

SECTION 4. License or Permit Requirements. License or permit to sell and distribute firecrackers and other pyrotechnic devices shall be granted for the sale and distribution of firecrackers and other pyrotechnic devices enumerated in Section 2 hereof. Under no circumstances shall a license or permit be granted for the sale and/or distribution of prohibited firecrackers and other pyrotechnic devices mentioned in Section 3 hereof.

Reasonable Fees may be charged for the issuance of said licenses pursuant to the existing Revenue Code of the municipality.

SECTION 5. Penalties. – Violation of any of the provisions of Section 2 of this Ordinance shall be penalized as follows:

- a) For the first offense, a fine of One Thousand Pesos (P1,000.00) or imprisonment of not more than One (1) month but not less than twenty (2) days, or both fine and imprisonment, at the discretion of the Court;
- b) For the second offense, a fine of Two Thousand Pesos (P2,000.00) or imprisonment of not more than Three months but not less than One (1) month, or both fine and imprisonment, at the discretion of the Court;
- c) For the third offense, a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not more than three (3) months but not less one (1) month, or both fine and imprisonment, at the discretion of the Court.

If the violation is committed by a business establishment, the Proprietor/Manager or the person, acting in behalf of either the Proprietor/Manager shall be held liable. In addition to the foregoing penalties, the business permit of the business establishment shall be cancelled by the Municipal Mayor upon the commission of the third offense.

SECTION 6. Separability Clause. – Should any of the provisions of this Ordinance be declared inoperative by the Courts for being inconsistent with the Constitution or the law, the other unaffected provisions of this Ordinance shall remain in full force and effect.

SECTION 7. Repealing Clause. – Any and all ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.


SECTION 8. – This Ordinance shall take effect after its approval.

UNANIMOUSLY APPROVED”.


Voting on the foregoing ordinance was as follows:

- AYES : Members Ambrocio, Jr., Villa, Butay, Dadiz, Jr., Badua, Pumaras, Sr., Ulep, Jr. and Hernando, I.
- NAYS : None.
- ABSTAINED : None.


I hereby certify to the correctness of the foregoing ordinance.


ENRIQUE P. ULEP, JR.
 Secretary to the Sangguniang Bayan I

ATTESTED:


EDISTIO P. VALDEZ
 Vice-Mayor/Presiding Officer

APPROVED:


ALFREDO P. VALDEZ, JR., M.D.
 Municipal Mayor
 Approved on: December 13, 2018