

**[MUNTINLUPA CITY ORDINANCE NO. 14-092,
December 15, 2014]**

**AN ORDINANCE PROHIBITING THE MANUFACTURE, DISPLAY,
SALE, DISTRIBUTION, POSSESSION OR USE OF FIRECRACKERS
OR PYROTECHNIC DEVICES AND SUCH OTHER SIMILAR DEVICES
AND THE EXPLODING OF FIRECRACKERS OR OTHER SIMILAR
EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF
MUNTINLUPA CITY.**

Sponsored by:

*Sponsored by: Hon. Coun. Atty. Patricio L.
Boncayao, Jr.*

Hon. Coun. Atty. Raul R. Corro

Hon. Coun. Bal Niefes

Hon. Coun. Stephanie O. Teves

Hon. Coun. Louisito A. Arclaga

*Hon. Coun. Margarita Amythyst Labios,
MD*

Hon. Coun. Ringo A. Teves

Hon. Coun. Alexander Diaz

Hon. Coun. Ma. Dhesiree G. Arevolo

Hon. Coun. Luvi P. Constantino

Hon. Coun. Neptall S. Santiago

Hon. Coun. Elmer S. Espeleta

Hon. Coun. Rafael T. Sovilla

Hon. Coun. Vergel C. Ulanday

Hon. Coun. Robert A. Abas

Hon. Coun. Robert P. Baes Hon. Coun.

Celso C. Dioko

WHEREAS, the 7th Sangguniang Panglungsod, Muntinlupa City, is fully aware of the initiative of the City Mayor Hon. Atty. Jaime R. Fresnedi, In suppressing the harmful effects of the use of firecrackers and pyrotechnic devices to health, life, property and the environment through the issuance of **Executive Order No. 15, Series of 2013** entitled, *Banning The Display, Use Sale And Distribution Of Firecrackers and Pyrothechnics Within And About The City Of Muntinlupa, Particularly During The Christmas And New Year Season*;

WHEREAS, with the implementation of said **Executive Order**, the Philippine National Police (PNP), and the Muntinlupa City Health Office recorded a notable reduction in fatalities/casualties, signifying the effectivity of such Executive order as follows:

	2013 Yuletide	2014 Yuletide

Bodily Injuries	Eighteen (18)	Six (6)
Death	One (1)	0
Fire	0	0

WHEREAS, Section 458 of Republic Act No. 7160, otherwise known as the Local Government Code Of 1991; states that, ***"the Sangguniang Panglungsod, as the Legislative body of the City, shall enact Ordinances, adopt Resolutions and appropriate funds for the general welfare of the general welfare of the City and its inhabitants"***;

WHEREAS, the same Code provides the following pertinent provisions:

(v) ***Adopt measures to protect the Inhabitants of the city from the harmful effect of man-made or natural disaster and calamities***, and to provide relief services assistance for victims during and the aftermath of said disaster or calamities and their return to productive livelihood following said events;

(v) ***Protect the environment and impose appropriate penalties for acts which endanger the environment***, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endanger species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lake, or of ecological imbalance'

-and-

Section 16. General Welfare - Every local government unit shall exercise the power expressly granted, those necessary appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. ***Within their respective territorial jurisdiction, local government units shall*** ensure and support, among other things, the presevation and enrichment of cultural, promote health and safety, enhance the right of the people to a balance ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, the 7th Sangguniang Panglungsod deems it appropriate and long overdue the imposition of a ban on the manufacture, display, sale and distribution of all fireworks and pyrotechnic devices and other similar devices and the exploding of firecarckers and such other similar explosive within Muntinlupa City and to provide penalties for violation thereof."

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORBANIED, by the 7th Sangguniang Panlungsod herein assembled that

SECTION 1. Purpose Of This Ordinance - It is the purpose of this Ordinance to prohibit the manufacture, sale distribution, possession and use of firecrackers or pyrotechnic devices and the exploding of firecrackers and other explosives within Muntinlupa City City to protect the environment and the health of the people from

their harmful effects;

SECTION 2. *Prohibited Acts.* - (a) It shall be unlawful for any person or business establishment to manufacture, sell or offer for sale, distribute, possess or use any firecrackers or pyrotechnic device or such other similar devices within the territory of Muntinlupa City;

(b) It shall, likewise be unlawful for any person to discharge or explode, or cause to discharge or to explode, any firecrackers, or any other explosive or to use any pyrotechnic device or any such other similar device, at anytime and anywhere within the territory of Muntinlupa City;

SECTION 3. *Exception* - Notwithstanding the prohibited acts enumerated in Section 2 of this Ordinance, the City and/or the Barangays, jointly or separately, or use any owner of malls or similar establishments, may, upon prior approval of the city, conduct or sponsor "community firework display" in a designated area for the benefit of city residents but only during special occasions such as New Year, Christmas, Fiestas and City Foundation Anniversary.

The "community firework display" referred to above may be granted:

- a. That a permit to possess and display fireworks shall be first secured from the lone Philippine National Police and Bureau of Fire Protection.
- b. That fireworks shall conducted at a distance of one hundred feet (100ft) away from people;
- c. That all fireworks shall be projected upwards;
- d. That a responsible person or persons of at least twenty one (21) years of age and with adequate knowledge of handling fireworks shall be assigned to supervise fireworks display;
- e. That sufficient approved type of first aid and fire protection equipment shall be on hand at the site during fireworks exhibitions, and
- f. That the nearest fire station shall be notified of such exhibitions.

SECTION 4. Duties of concerned Local Office -

- a) The City Health Office, Muntinlupa City, and Community Affairs and Development Office, Muntinlupa City, shall intensify the conduct of their information campaign on the danger to life, limb, property and environment the use of firecrackers, fireworks, pyrotechnic brings.
- b) Component barangays shall conduct regular patrol to monitor compliance of the ordinance and promptly report any violation to the **Public Order and Safety Office (POSO)** and **Business Permits and Licensing Office (BPLO)**;
- c) The **Public Order and Safety Office (POSO)** and **Business Permits and Licensing Office (BPLO)** shall, in return, send with dispatch personnel at the scene to confiscate all fireworks and