



Republika ng Pilipinas
SANGGUNIANG PANLUNGSOD
Lungsod ng Mandaluyong

ORDINANCE NO. 354, S-2005

AN ORDINANCE REGULATING THE SALE, POSSESSION, USE
AND DISPOSAL OF FIRECRACKERS (WATUSI) IN THE
CITY OF MANDALUYONG AND PROVIDING
PENALTY FOR VIOLATORS THEREOF

BE IT ORDAINED by the Sangguniang Panlungsod, in session assembled:

SECTION 1. TITLE OF ORDINANCE. This Ordinance shall be known as "*AN ORDINANCE REGULATING THE SALE, POSSESSION, USE AND DISPOSAL OF FIRECRACKERS (WATUSI) IN THE CITY OF MANDALUYONG AND PROVIDING PENALTY FOR VIOLATORS THEREOF*"

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance the following terms shall mean:

- a. WATUSI - a dancing firecracker contained in a very small cylinder or stick made of paper containing four kinds of poisonous chemicals namely, yellow phosphorous which is extremely toxic, potassium chlorate, potassium nitrate and trinitrotoluene (TNT) usually found in bombs and usually discharged for amusement to make a noise.
- b. FIRECRACKERS - a paper cylinder filled with an explosive and having a fuse used as a noisemaker

SECTION 3. It is hereby mandated that within the City of Mandaluyong, the sale, possession, use and disposal of firecrackers "*watusi*" is regulated in such a manner that:

- a. No individual or any person, sari-sari store, mini-groceries, supermarkets, flea markets, department stores and all similar establishments is allowed to sell to minors within the statutory age of twelve (12) years and below;
- b. Any individual person, sari-sari stores, mini-groceries, supermarkets, flea markets, department store owners, proprietors, operators and managers respectively found selling this regulated firecrackers to minors within the statutory age of twelve (12) years and below shall be upon apprehension, his/her/its Mayor's and Business Permits and License to sell and operate his/her/its said sari-sari store, mini-groceries, supermarket, flea market, department store and other similar establishments shall be immediately suspended, cancelled and/or revoked.
- c. That, upon conviction by the court with competent jurisdiction, the violator of this Ordinance is hereby imposed the penalty of TWO THOUSAND PESOS (P2,000.00) and an imprisonment of thirty (30) days which is the full maximum of ARRESTO MENOR;
- d. That, if the offender is a juridical entity, the imposable penalty shall be imposed to its President, Chief Operations Officer and/or General Manager or Operator;

SECTION 4. Other individual or person considered liable under this Ordinance.

- a. Any parents, juridical guardians or those exercising substitute parental authority shall be imposed the penalty herein provided, whenever, their children within the statutory age of twelve (12) years and below are found to be in possession, use and/or disposal of the *watusi* no matter how their children and/or ward took physical possession of the same, if such physical possession took place in their place of residence and its premises;
- b. The school administrator, principal or teacher who exercise special parental custody over children within the statutory age of twelve (12) years and below so long as these pupils remain in their protective and supervisory custody in school when they commit such tortuous acts or omission;

SECTION 5. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or cited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay said fine with the City Treasurer to avoid being criminally prosecuted within six (6) hours from apprehension otherwise the case shall be prosecuted.

The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six - hour period within which to pay under this Ordinance.

SECTION 6. CITY GOVERNMENT RESPONSIBILITY. It shall be the responsibility of the City Government through the Honorable City Mayor to ensure that this Ordinance is implemented to its fullest.

SECTION 7. EFFECTIVITY. This Ordinance shall take effect upon approval.

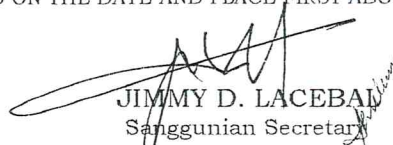
ENACTED on this 5th day of December, 2005 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.

ATTESTED:



JESUS C. CRUZ
City Vice Mayor &
Presiding Officer



JIMMY D. LACEBAL
Sanggunian Secretary

APPROVED:



NEPTALI M. GONZALES II
City Mayor

Date: DEC 1 2 2005

