



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 574, S-2014

AN ORDINANCE REGULATING THE SALE, POSSESSION, USE,
DISPOSAL AND DISTRIBUTION OF FIRECRACKERS
AND PYROTECHNIC DEVICES 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, DISPOSAL AND DISTRIBUTION OF FIRECRACKERS AND PYROTECHNIC DEVICES 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. FIRECRACKERS – a paper cylinder filled with an explosive and having a fuse used as a noisemaker;
 - b. PYROTECHNIC DEVICES – a substance or mixture of substance designed to produce an effect by heat, light, sound, gas or smoke or a combination of these, as a result of non-detonative self-sustaining exothermic chemical reactions.
- SECTION 3. TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES ALLOWED. The following common types of firecrackers and pyrotechnic devices are allowed in this Ordinance:
- a. FIRECRACKERS – Baby rocket, bawang, small triangulo, pulling of strings, paper cups, El Diablo, Watusi, Judah's belt, sky rocket (kuwitis) and other similar type of the same explosive content.
 - b. PYROTECHNIC DEVICES – sparklers, luces, foundation (jumbo, regular and special), mabuhay sparklers, Roman candle, trompillo, airwolf, whistle device, butterfly-shaped pyrotechnic device, pailaw and other similar types of the same explosive content.
- SECTION 4. It is hereby mandated that within the City of Mandaluyong, the sale, possession, use, disposal and distribution of firecrackers and pyrotechnic devices 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.

SECTION 5. 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 firecrackers and pyrotechnic devices 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 6. The sale, possession, use, disposal and distribution of firecrackers and pyrotechnic devices within the City shall only be for the period December to January 2 of the years concerned, and during the Chinese New Year, unless an exemption shall have been procured from the Office of the City Mayor for special events/occasions.

SECTION 7. PENAL CLAUSE. Violation of any provision of this Ordinance shall be penalized as follows:

- a. Fine of Three Thousand Pesos (P3,000.00) and/or imprisonment of six (6) months at the discretion of the court;
- b. Confiscation of their stocks;
- c. Automatic cancellation of his/her permit granted by the City Government;
- d. 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 8. 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.

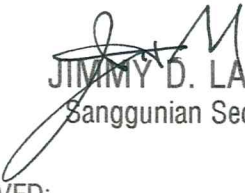
The City Treasurer, subject to Civil Service Laws, Rules and Regulation, is hereby directed to provide personnel or to deputize personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offender to avail of the six-hour period within which to pay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

SECTION 9. REPEALING CLAUSE. Ordinance No. 217, S-1999 and Ordinance No. 354, S-2005 and all other existing ordinances which are inconsistent herewith are repealed or modified accordingly.

SECTION 10. EFFECTIVITY. The foregoing Ordinance will take effect fifteen (15) days after its publication in a newspaper of general circulation in Metro Manila.

ENACTED on this 29th day of September, 2014 in the City of Mandaluyong.

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


JIMMY D. LACEBAL
Sanggunian Secretary

APPROVED:

PRESIDED BY:


EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer


BENJAMIN D. ABALOS, JR.
City Mayor

Date: OCT 15 2014

NB: This Ordinance repeals Ordinance No. 217, S-1999 and Ordinance No. 354, S-2005 which were originally enacted on November 23, 1999 and December 5, 2005, respectively.