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Item No.: 15
Date: 07 MAR 2023

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

SP Records
FEB 27 2023

SANGGUNIANG PANLALAWIGAN
PROVINCIAL LEGAL OFFICE

By 2/23/23
PROVINCE OF LEYTE

2nd INDORSEMENT
February 21, 2023

Province of Leyte
Legal Office
Released: [Signature]
Time: 19:00
Date: 2-27-23

Respectfully returned to the, Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 19-22-006 of the SB of Isabel, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, the same being to the opinion of Provincial Legal Office [PLO] an exercise of the power essential to the promotion of the General Welfare, health and Safety, authorized under Section 16 of the Code.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
15 February 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 19-22-006** of the **MUNICIPALITY OF ISABEL, LEYTE**, entitled: **AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE.**


ANDRE S. SANICO
Provl. Govt. Asst. Dept. Head



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

PANLALAWIGAN

TRANSMITTAL

2/15/23

PROVINCE OF LEYTE

Date: February 14, 2023

THE SANGGUNIANG PANLALAWIGAN
Province of Leyte
Provincial Capitol, Tacloban City

THRU: THE OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLALAWIGAN
Legislative Building, Provincial Capitol
Tacloban City

MA'M:

RESPECTFULLY TRANSMITTING YOUR END FIFTEEN (15) SETS OF THE FOLLOWING DOCUMENTS.
WITH DETAILS AS FOLLOWS:

<u>ITEM NO.</u>	<u>REF. NO.</u>	<u>TITLE/CAPTION/DESCRIPTION</u>
1	Municipal Ordinance No. 19-22-006	AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE.

ATTACHMENTS:

1	Certificate of Public Hearing Conducted
2	Copy of the Attendance of the Public Hearing
3	Certificate of Posting

FOR YOUR INFORMATION, REFERENCE, AND APPROPRIATE ACTION.

THANK YOU.

Respectfully yours,


JULIUS CESAR T. MATIGA
Secretary to the Sangguniang Bayan



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
Municipality of Isabel
 -o0o-
OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN

 PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 21st REGULAR SESSION OF THE 19th SANGGUNIANG BAYAN OF THE MUNICIPALITY OF ISABEL, PROVINCE OF LEYTE, HELD ON December 12, 2022 AT THE SB SESSION HALL.

Present: Vice-Mayor Adam A. Fuentes, Presiding Officer
 SB Member Teddy E. Alemia
 SB Member Romelo P. Mappala
 SB Member Rey Zaldy S. Rojas
 SB Member Deborah G. Bertulfo
 SB Member Alden A. Martin
 SB Member Manuel D. Amodia
 SB Member Ailene Jubida Dearos
 SB Member Dan Antonio G. Tentativa
 SK Fed. Pres. Mariel M. Astillero

Absent: NONE

SB Member Romelo P. Mappala – SPONSOR
 SB Member Teddy E. Alemia – Co-Sponsor

MUNICIPAL ORDINANCE NO. 18-22-006

AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE.

WHEREAS, R.A .7160 known as the Local Government Code of 1991 gave power and responsibilities to Local Government Units for effective and efficient governance and the promotion of general welfare;

WHEREAS,R.A. 7183 known as the Fire Cracker Law of the Philippines, provides for the regulation and control of fire crackers and other pyrotechnic devices, of their manufacture, sale, distribution and use consistent with and in furtherance of public safety, order and national security;

WHEREAS; the said law further authorizes local government units to promulgate the necessary rules and regulations on firecrackers and other pyrotechnic devices within their territorial jurisdiction in conformity to national standards, laws and regulations;

WHEREAS, then President Rodrigo Duterte issued Executive Order No. 28 series of 2017 confined the use of firecrackers and other pyrotechnic display to community fireworks display in designated areas and to be conducted under the supervision of trained person/s duly licensed by the PNP;

WHEREAS, in consideration with premises mentioned and consistent with the policy of the Local Government Unit of Isabel on public safety, order and security of laws, the Sangguniang recognizes the importance of formulating an ordinance that would regulate the safe use of firecrackers and related devices in the Municipality of Isabel, Leyte;

For and in consideration of the foregoing, BE IT ORDAINED by the Sangguniang Bayan that:

SECTION 1 - TITLE- This Ordinance shall be known As "AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE"

SECTION 2 - COVERAGE : This Ordinance shall cover the entire Municipality of Isabel, Leyte.

SECTION 3 - DEFINITION OF TERMS — As used in this ordinance, the following words and phrases are construed to mean as herein defined;

a. Firecracker – is a small explosive device primarily designed to produce a large amount of noise, especially in a form of loud bang and any visual effect is incidental to this goal. It is typically wrapped in paper and lit with a fuse.

b. Fireworks – are a class of explosive pyrotechnic devices use for aesthetic, religious and cultural purposes. Fireworks take many forms to produce the four primary effects: noise, light, smoke and floating materials (such as confetti). They may be designed to burn with flames and sparks of many colors.

c. Pyrotechnic Device – any device manufactured or used to produce a visible or audible effect by combustion, deflagration, or detonation such as fireworks, firecrackers, etc.

SECTION 4 – The manufacture of firecrackers and other pyrotechnic devices is strictly prohibited within the territorial jurisdiction of Isabel, Leyte.

SECTION 5 – TYPES OF FIRECRACKERS AND PYROTECHNIC ALLOWED AND PROHIBITED IN THIS ORDINANCE– All types of fire crackers and pyrotechnic devices allowed in Section 2 of R.A. 7183 are hereby adopted in this ordinance, and as enumerated in the guidelines issued by the Philippine National Police (PNP) on December 16, 2021, the following firecrackers and pyrotechnic devices are:

a. ALLOWED:

- Butterfly
- Fountain
- Luces
- Mabuhay
- Roman Candle
- Sparklers
- Trompillo
- Whistle devices
- All kinds of "Pailaw" (pyrotechnic devices)

b. PROHIBITED:

- Watusi
- Piccolo
- Poppop
- Five Star
- Pla-pla
- Lolo Thunder
- Giant Bawang
- Giant Whistle Bomb
- Atomic Bomb
- Super Lolo
- Atomic Triangle
- Goodbye Bading
- Large-size Judas Belt

- Goodbye Philippines
- Goodbye Delima
- Bin Laden
- Hello Columbia
- Mother Rockets
- Goodbye Napoles
- Coke-in-Can
- Super Yolanda
- Pillbox
- Mother Rockets
- Boga
- Kwiton
- Kabasi
- All overweight and oversized firecrackers and pyrotechnic devices (FCPD)
- All imported finished products
- Other unlabelled locally made FCPD products
- Other types of firecrackers with other brands/names equivalent to those that are prohibited

The Chief of Police in cooperation with the Head of the Bureau of Fire Protection of the Municipality of Isabel shall be vested with the authority to determine what constitute prohibited firecrackers and other pyrotechnic devices that are not included/enumerated in this section.

SECTION 6 – LICENSE AND PERMIT – Any individual who would like to sell and distribute Firecrackers characterized as Allowed under Section 5 of this Ordinance, shall first secure a special permit to sell from the Office of the Municipal Mayor upon payment in the amount of P2,000.00 for the privilege to sell and/or distribute firecrackers and other pyrotechnic devices in the municipality. A Certification from the Head of the Isabel Bureau of Fire Protection (BFP) is a requirement for such an application to sell firecrackers and other pyrotechnic devices.

SECTION 7 – DESIGNATED PLACE TO SELL - The Municipal Mayor upon the recommendation from the Chief of Police of the Isabel Police Station and/or from the Head of the Isabel Bureau of Fire Protection may issue an Executive Order (E.O.) designating a specific place in the municipality as an area to sell and/or distribute firecrackers and other pyrotechnic devices characterized as Allowed under Section 5.

Regular inspection by the personnel of the local PNP and/or BFP shall be conducted to ensure that the sellers has followed all safety rules and regulations and to ensure the strict implementation on the provisions of this ordinance.

SECTION 8 – COMMUNITY FIREWORKS DISPLAY – To minimize the risk of injuries and/or casualties, the use of firecrackers and other pyrotechnic devices shall be confined to Community Fireworks Display. Under Executive Order No. 28 series of 2017 as issued by then President Rodrigo Duterte, a Display of Fireworks and other pyrotechnic devices is considered a Community Fireworks Display if:

a. It is conducted on the occasion or part of a celebration, competition, or similar event held in a venue other than a place of residence.

b. It is conducted under the supervision by a trained personnel duly licensed by the PNP.

c. It is allowed by the municipality through a permit specifying the date and time of the fireworks display and the specific area in which the display is to be conducted, in conformity to national standards, rules and regulations.

The Municipal Mayor through an Executive Order (E.O.), and upon the recommendation by the Chief of Police of Isabel and/or by the Head of the Isabel Bureau of Fire Protection, shall designate a specific area as firecracker zone or where such Community Fireworks Display be conducted.

SECTION 9 – REGULATED ACTS – Firecrackers and other pyrotechnic devices shall only be allowed during:

- a. Christmas Season – December 24 and 25
- b. New Year – December 31 and January 1
- c. Town Fiesta – January 14 and 15
- d. Barangay Fiesta – on the Eve of the Barangay Fiesta and on the day of the Barangay fFesta.
- e. Other Days that may be allowed by the Municipal Mayor.

SECTION 10 – PENALTIES AND SANCTIONS BY LGU –

- a) Any person who shall sell and distribute firecrackers and other pyrotechnic devices in violation of this Ordinance shall be penalized in the amount of P 2,500.00 and/or 15 days imprisonment or both at the discretion of the court. In addition, any violation of any provision of this ordinance shall cause the cancellation of the Permit to Sell issued by Office of the Municipal Mayor.
- b) Any person who shall use firecrackers and/or any other pyrotechnic device in violation of this Ordinance shall be penalized with the following:
 - First Offense - P 1,000.00
 - Second Offense - 2,000.00
 - Third & Succeeding Offense - 2,500.00

SECTION 11 - ACCRUAL OF FUNDS – fines/penalties collected in connection with this Ordinance shall accrue to the general fund of the municipality.

SECTION 12 – SEPARABILITY – If for any reason, any provision of this ordinance is found to be inconsistent of any law and is declared not valid by a court, only that portion that is declared such shall be affected and shall not affect or impair the other parts of this Ordinance.

SECTION 13 – REPEALING CLAUSE – Any ordinance, rules and regulations or parts thereof found to be inconsistent with this Ordinance is hereby repealed or amended.

SECTION 15 – EFFECTIVITY - This Ordinance shall take effect upon its approval and after ten (10) days from date a copy hereof is posted in the bulletin board at the entrance of the Municipal Hall and in at least two (2) other conspicuous places within the Municipality.

Voting on the foregoing Ordinance as follows:

Ayes:

HON. TEDDY ALEMIA

HON. ROMELO P. MAPPALA

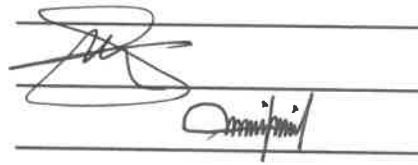
HON. REY ZALDY S. ROJAS

HON. DEBORAH G. BERTULFO

HON. ALDEN A. MARTIN

HON. MANUEL D. AMODIA

HON. AILENE JUBIDA DEAROS
HON. DAN ANTONIO G. TENTATIVA
HON. MARIEL M. ASTILLERO




Nays: NONE

I HEREBY CERTIFY to the correctness and authenticity of the foregoing Ordinance.



JULIUS CESAR T. MATIGA
Secretary to the Sangguniang Bayan

ATTESTED BY:



HON. ADAM A. FUENTES
Vice-Mayor and Presiding Officer

APPROVED:



HON. ATTY. EDGARDO C. CORDENO
Municipal Mayor



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF PUBLIC HEARING CONDUCTED

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a hearing/consultation was conducted last December 5, 2022, 1:00 PM, at the SB Session Hall for the Municipal Ordinance No.19-22-006 – AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE.

Done this 14TH day of February 2023, at SB Office, LGU-Isabel, Leyte, Philippines.


JULIUS CESAR T. MATIGA
SB Secretary



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
 Municipality of Isabel

-00-

OFFICE OF THE SANGGUNIANG BAYAN

COMMITTEE MEETING ON THE MUNICIPAL ORDINANCE NO. 18-22-006:
AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF
FIRE CRACKERS & OTHER PYROTECHNIC DEVICES IN THE MUN. OF ISABEL, LEYTE

Date: 12/05/2022

Time: 1:10 PM

Venue: SB Session Hall

ATTENDANCE

NAME	OFFICE/DESIGNATION	ADDRESS	TIME OF ARRIVAL	CONTACT NUMBER	SIGNATURE
1 Monnel Amador	SR	Isabel	1300H		
2 ALDEN A. MARTIN	SB LEGISLATIVE	ISABEL, LEYTE	1:00 PM	0916-244-7788	[Signature]
3 PMAJ FLORENDO S. MENDOZA	PNP	ISABEL, LEYTE			[Signature]
4 SPO4 Henry B. Remonido	BFP	ISABEL, LEYTE	1:00 PM		[Signature]
5 SPO3 ALWIN N. BALDEVA	RTP 108	TACLOBAN CITY	1:08 PM		[Signature]
6 NEUMIA TEODY	SB	ISABEL, LEYTE	1:00 PM		[Signature]
7 Detorable. Bertuy	SB	Isabel, Leyte	1:00 PM		[Signature]
8 PEY ZALDY S. ROSAS	SB	ISABEL, LEYTE	1:00 PM		[Signature]
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REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel

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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT pursuant to Section 59 of RA 7160, otherwise known as "Local Government Code of 1991", as amended, a copy of MUNICIPAL ORDINANCE NO. 19-22-006– AN ORDINANCE REGULATING THE SALE, DISTRIBUTION AND USE OF FIRE CRACKERS AND OTHER PYROTECHNIC DEVICES IN THE MUNICIPALITY OF ISABEL, LEYTE, was posted within the period from January 13 to January 27, 2023 on the Bulletin Board located at the lobby of Isabel Town Hall, another one (1) copy at Isabel Public Market Bulletin Board, and one (1) more copy at Isabel Public Utility Vehicles Terminal, this municipality.

This certifies further that this document is being posted by the Sangguniang Bayan for public information, guidance, and for whatever legal purpose this may serve best.

Done this 14th day of February 2023 , at SB Office, LGU-Isabel, Leyte, Philippines.


JULIUS CESAR T. MATIGA
SB Secretary