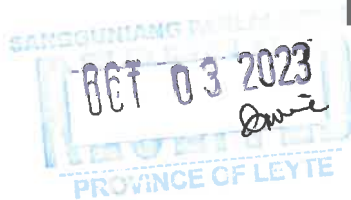


Item No.: 02
Date: OCT 10 2023

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
September 29, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 05, S. 2023 of the Sangguniang Bayan of Macarthur, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C)ⁱ of R.A. 7160, for it is within the powers of the Local Council to repeal/amend its prior act either expressly or by the passage of an essentially inconsistent resolutionⁱⁱ

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

ⁱ Section 56 (c) LGC - If the Sangguniang Panlalawigan finds that such an ordinance or resolution is beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang bayan concerned, it shall declare such ordinance or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action in the minutes and shall advise the corresponding city or municipal authorities of the action it has taken.

ⁱⁱ (Constantino Vs. Desierto, 288 SCRA 654).

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
26 September 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 05, SERIES OF 2023 OF THE MUNICIPALITY OF MACARTHUR, LEYTE, ENTITLED: AN ORDINANCE ENACTING THE REVISED FIRE PREVENTION CODE OF THE MUNICIPALITY OF MACARTHUR, LEYTE PRESCRIBING RULES AND REGULATIONS COVERING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIVES PROVIDING FOR SERVICE FEES PENALTIES AND FOR OTHER PURPOSES.**

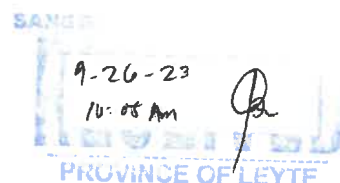

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

-----oOo-----

Office of the Sangguniang Bayan



ENDORSEMENT
September 26, 2023

Respectfully submitting to the Honorable Provincial Board for consideration and approval the herein Municipal Ordinance No. 05, Series of 2023, entitled AN ORDINANCE ENACTING THE REVISED FIRE PREVENTION CODE OF THE MUNICIPALITY OF MACARTHUR, LEYTE PRESCRIBING RULES AND REGULATIONS COVERING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIVES PROVIDING FOR SERVICE FEES PENALTIES AND FOR OTHER PURPOSES with its supporting documents, to wit:

1. Certificate of Posting
2. Minutes of the Public Hearing
3. Pictures During the Public Hearing
4. Duly Accomplished Attendance Sheet
5. Copy of the Municipal Ordinance No. 01, Series of 2003


MARIE STEPHANIE D. PULGA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR
-----oO-----

Municipal Ordinance No. 05 Series of 2023

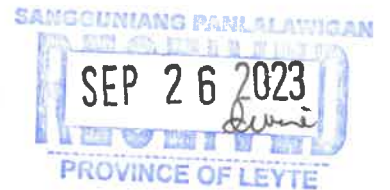
AN ORDINANCE ENACTING THE REVISED
FIRE PREVENTION CODE OF THE
MUNICIPALITY OF MACARTHUR, LEYTE
PRESCRIBING RULES AND REGULATIONS
COVERING CONDITIONS HAZARDOUS TO
LIFE AND PROPERTY FROM FIRE OR
EXPLOSIVES PROVIDING FOR SERVICE FEES
PENALTIES AND FOR OTHER PURPOSES



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

-----oO-----

Office of the Sangguniang Bayan



Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member

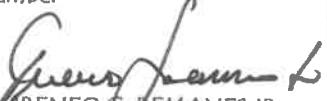

HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member

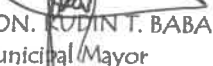

HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. QUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

EXCERPT FROM THE MINUTES OF THE 52ND REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MACARTHUR, LEYTE HELD ON 04 SEPTEMBER 2023 AT THE MUNICIPAL SESSION HALL.

PRESENT:

Honorable Jesus A. Baranda	Vice Mayor, Presiding
Honorable Raul E. Mundala	SB Member
Honorable Gwendolyn M. Beriso	SB Member
Honorable Victoriano T. Lazar	SB Member
Honorable Jonathan T. Barquin	SB Member
Honorable Trina C. Burawis	SB Member
Honorable Leonardo R. Leria Jr.	SB Member
Honorable Ireneo G. Remanes Jr.	SB Member
Honorable Xandrix P. Pantin	SB Member
Honorable Pepito C. Guimalan	ABC President
Honorable Mel Andrew P. Maldos	SKF President

ABSENT: None

MUNICIPAL ORDINANCE NO. 05
SERIES OF 2023

AN ORDINANCE ENACTING THE REVISED FIRE PREVENTION CODE OF THE MUNICIPALITY OF MACARTHUR, LEYTE PRESCRIBING RULES AND REGULATIONS COVERING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIVES PROVIDING FOR SERVICE FEES PENALTIES AND FOR OTHER PURPOSES

SPONSORED BY : Honorable Ireneo G. Remanes Jr.

CO-SPONSORED BY : Honorable Raul E. Mundala
Honorable Jonathan T. Barquin
Honorable Leonardo R. Leria Jr.

On motion of Honorable Ireneo G. Remanes Jr. duly seconded by Honorable Xandrix P. Pantin, Honorable Leonardo R. Leria Jr., Honorable Jonathan T. Barquin, Honorable Raul E. Mundala, Honorable Trina C. Burawis and Honorable Pepito C. Guimalan, be it

Ordained by the Sangguniang Bayan of the Municipality of MacArthur, Leyte that

CHAPTER I
GENERAL PROVISIONS

Section 1. TITLE -This Ordinance shall be known as the Revised Fire Prevention Code of the Municipality of MacArthur, Leyte.

Section 2. SCOPE – Purpose/Intent and Construction. This ordinance is enacted for the purpose of preventing fire occurrences. This ordinance should be interpreted in a way that will provide safety to the lives and properties of the people of the MUNICIPALITY of MACARTHUR from the hazards of fire and explosions. Where there are no specific standards of safety in this ordinance, the Rules and Regulations on Fire safety promulgated by the Fire Code of the Philippines (RA 9514), shall have substantial compliance of the provisions therewith shall be deemed compliance with this ordinance.

CHAPTER II
DEFINITION OF TERMS

Section 1. For the purpose of this code, the following words and phrases are defined and shall be construed as herein after set forth unless it shall be apparent from the context that a different meaning is intended:

1. Apartment – means a room or units of two (2) or more rooms, designated and intended for occupied by one (1) family for living, sleeping and cooking purposes.
2. Apartment House – means a house with apartment for three (3) or more families living independently of one another and doing their cooking in the premises common to the apartments.
3. Automobile LP Gas Filling Station – shall mean any lot or a parcel of land on portion there of used partially or entirely for dispensing LP Gas into fuel tank of motor vehicles.
4. Bonfire – shall mean a large fire built in the open air.
5. Bote-bote – shall refer to the manner of retailing liquid petroleum products in soda bottles, plastic containers, jugs and other similar portable containers not intended or suited for storing, handling and dispensing liquid petroleum products.
6. Building – means any structure designed and intended for shelter or protection of a person, animal or chattel from rain, heat and weather.
7. Building height – means a vertical distance from established grade elevation to the highest point of the capping of a flat roof to the average height of the highest gable of a pitch or to the top of the

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member

HON. TRENIO G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor


Date Approved: SEPTEMBER 22, 2023

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
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HON. LEONARDO R. LERIA JR.
SB Member

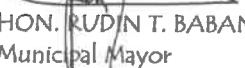

HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

parapet of the roof, if provided with a parapet in case of slopping ground, the average ground level of the building area shall be considered as its established grade elevation.

8. Cellulose Nitrate Products – shall mean any product formed when cellulose is treated with a Nitric acid including Nitrocellulose Film, bicoloid, fibreloid, pyralin products and similar material or products.
9. Combustible Material- shall mean any material that will burn at a temperature of 1,000 degrees or less.
10. Commercial Garage- is a garage where automobiles and other motor vehicles are housed, cared for equipped, repaired or kept for remunerations, hire or sale.
11. Dwelling shall be defined as a house or a place of abode.
12. Corner Lot- shall mean a lot situated at the junction of two (2) or more streets.
13. Explosives- shall mean any chemical compound or mechanical mixture that contains any oxidizing and combustible units or other ingredients in such portion, quantity or packing that any ignition by fire, friction, concussion or detonation of any part of the compound or mixture may cause such sudden generation of highly heated gasses that the resultant gaseous pressure are capable of producing destructive effects on contiguous objects or destroying life or limb.
14. Film factory- shall mean any building or portion thereof used for the manufacturing of a film.
15. Fire District- shall mean any district within the jurisdiction or limit of the municipality of Macarthur.
16. Fire Station- shall mean the Fire Station of the Macarthur formerly Fire Department.
17. Fire Station Commander- shall mean the Municipal Fire Marshal.
18. Fireworks- (Dangerous) shall mean fire crackers pyrotechnic or fireworks containing phosphorous, sulphosynide, mercury, chlorate or potash and sugar and the following named fireworks; firecrackers or salute and blank cartridges, skyrockets, including all devices which dart or travel about the surface of the ground during discharge; all articles commonly known "Son- of- a- Gun", devil of the rock cracket sticks and

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


HON. RAUFF E. MUNDALA
SB Member

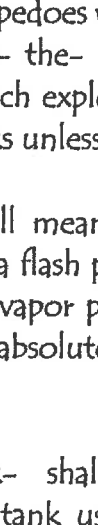

HON. GWENDOLYN M. BERISO
SB Member



HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
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HON. LEONARDO R. LERIA JR.
SB Member

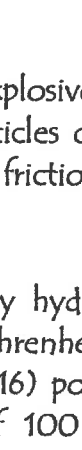

HON. RENE G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 12, 2023

automatic torpedoes which contain arsenic, explosives known as "Devil- on- the- Walk" or any other articles of similar characters which explodes through means of friction and all other fireworks unless otherwise designated.

19. Gasoline- shall mean any petroleum or any hydrocarbon liquid having a flash point of 100 degrees Fahrenheit or less and having a vapor pressure below Sixteen (16) pounds per Square inch absolute at a temperature of 100 Degrees Fahrenheit.

20. Gravity Tank- shall mean any receptacle except an underground tank used for the storage of any flammable liquid in excess of 110-gallon capacity.

21. Hospital- shall mean any occupancy wherein any person may receive surgical or obstetrical care or wherein medical facilities are provided for rendering such care.

22. Hotel- is a building or part thereof with rooms occupied or intended to be occupied as temporary abode of individuals, with a general kitchen and public dining room service but no provision for cooking in any individual suite or room.

23. Inflammable Liquids- shall mean any liquid having a flash point of 100 degrees Fahrenheit.

24. Multiple dwelling- is a building used as a home or residence of (2) or more families living independently from one another each occupying one or more rooms as a single housekeeping unit.


25. Lodging House- is a building or part thereof containing sleeping rooms where lodging is provided for a fixed compensation.

26. Place of Public assemblage- shall mean any building or premises or portion thereof, except a theater or cinema house, having assemblage capacity of more than 50 persons used for entertainment or instruction.


27. Portable- shall mean capable of being readily moved from place to place.

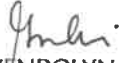
28. Portable Tank- shall mean any approved tank of more than 50 gallons capacity, equipped with a dispensing apparatus and mounted on wheels used for dispensing any inflammable liquids to any motor vehicle or air vehicle for fuel or for dispensing gasoline, petroleum, distillate or crude petroleum for any purpose.

Attested:



HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member



HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member



HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member



HON. RENE G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor


Date Approved: September 22, 2023


29. Private Garage- shall mean any building or premises or portion thereof, used for storing motor except a public garage, commercial warehouse or tenant garage.
30. Projection Room- shall mean a portion of a theater, motion picture theater or public assemblage, where a motion picture projection machine is used.
31. Public Parking Area- shall mean any building or premises or portion thereof, except a commercial warehouse, tenant garage or private garage where motor vehicles are sold offered for sale, rented, hired, cleaned, washed, polished, painted, greased or otherwise serviced for dealers of the public, where more than four (4) motor vehicles are stored for consideration.
32. Theater- shall mean any room, hall or auditorium having a stage designated or used for public entertainment and adopted to the presentation of plays, operas, spectacles, or similar forms of entertainment.
33. Underground Tank- shall mean any tank located entirely below the surface of the earth and used for the storage of inflammable liquid except liquefied petroleum gas unless otherwise especially provided.
34. Magazine- shall mean any building or structure approved for the storage of explosives.
35. Closed Container- shall mean a container so sealed by means of a lid or other service that neither liquid nor vapor will escape from it at ordinary temperature.
36. Flammable Liquid- shall mean any liquid having a flash point below 200 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit.
37. Smoking- shall mean and include the carrying of lighted pipe, cigar, cigarette, or tobacco in any form.
38. Automatic Fire Alarm System- a system which automatically detects a fire condition and activates a fire signal device.
39. Fire Resistance Rating- means the time in hours that the materials of construction will withstand the standard fire exposure and determined by fire test.

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

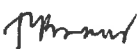
Concurred:


HON. RAIMUNDO E. MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member



HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. RENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

40. Owner- includes his duly authorized agent and any person having a vested contingent interest in the property in question.

41. Person- includes corporation and co-partnership as well as individuals.

42. Place of Assembly- shall mean a room or space used for assembly or educational occupancy for 50 or more occupants or which has a floor area of 1,500 square feet or more used for such purpose. Such room or space shall include any similarly occupied connection room or space in the same storey or in a storey above or below where entrance is common to the rooms or space.

43. Storey- in that portion of a building included between the upper surface of any floor and the surface of the floor next above, except that the topmost storey shall be that portion of a building included between the other surface of the topmost floor and the ceiling above, such portion of the building shall be considered a storey.

44. Commercial Quantities- shall mean 50 gallons or more of inflammable liquids and/or 50 kilos or more of combustible materials or substances.

CHAPTER III DOMESTIC AND MISCELLANEOUS FIRE HAZARDS

Section 1. Prohibition of Fire Hazards in Specific Places- No person shall light, ignite or otherwise set fire to anything, substance, materials or any other articles, or smoke cigar, cigarette or pipe tobacco or hold, possess deposit or throw any smoldering substance; or shall light any match or carry any open flame or light in any of the following places:


- a. In any of the building premises, places or vehicles where explosives and highly inflammable or combustible materials are stored or handled; where any loose hemp fibers, abaca fibers, straws, excelsior's, wood shavings, sawdust, packing materials are deposited; where dissolved acetylene is manufactured or stored, film goods, film storage rooms or picture studio and the premises thereof, where gasoline or petroleum products or cellulose nitrate products are found, in projection rooms of theaters and motion picture houses, in places where acetylene generator is found; and in hospitals, sanitariums, children's homes, elementary or high school.
- b. Within 25 feet from any fireworks, firecrackers factory or storage premises.
- c. Within 25 meters from any tank vehicles or dispensing apparatus carrying or dispensing inflammable or combustible materials.

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member



HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
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HON. LEONARDO R. LERIA JR.
SB Member


HON. ARENEO C. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Section 2. Storage of Matches in Quantities- No PERSON, STORE or establishment shall store or keep matches in large quantities except in metal containers or metal lined bins or boxes.

Section 3. Powder Explosive Magazine- It shall be unlawful for any person to light any match or carry any flame or fire of any kind in or around a powder explosive magazine.

Only electrical flashlights shall be allowed in those places. In premises wherein a powder explosive magazine is located there shall be posted signs with the words "EXPLOSIVE-KEEP OFF" printed thereon in letters not less than three (3) inches high.

Section 4. Prohibited Acts in Storage of Explosives and Inflammables- Smoking and carrying of matches, cigarette lighter or any other flame producing articles, or smoking materials shall be prohibited in all places where explosives and highly inflammable or combustible materials are stored or handled. All smoking materials and paraphernalia for fire must be deposited with a responsible person in the premises before entering the said area or compound.

Section 5. Lighted Cigarettes and other Flaming Substances- it is unlawful for any person to throw, dispose or place any lighted cigarette, cigar or the ashes thereof or other flaming or glowing substances or any substance or thing which may cause fire in any place.

Section 6. Welding Torch and other Devices- It is unlawful for any person to use or operate a welding torch tar pit or any device that may cause fire, without first clearing there from any inflammable material surrounding the operation or take any other necessary precaution to prevent fire or explosion.

Section 7. Presence of Responsible Person While Making Fires- It is unlawful for any person to allow a fire to be left burning by itself without his presence or the presence of a responsible person.

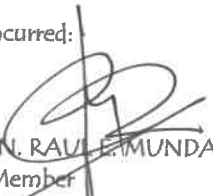
Section 8. Permit Required re Burning of Dry Grass and Similar Materials- No person shall; without a written permit first obtained from the fire station Commander of the Fire Service, burn any standing or uncut dry grass, woods, brush or vegetation on any lot or parcel of land in congested areas or when any building or houses or other structures which may catch fire; or burn any bonfire, camp fire on any lot or parcel of land.

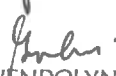
Section 9. Bonfires- No person shall kindle or maintain any bonfire or furnish any material for such fire in any street, avenue or road or public ground or upon any private lot within the territorial limit of Municipality of Macarthur unless a written permit to do so is first obtained from the Fire Station Commander of the Fire Service.


Attested:



HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member



HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. RENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Section 10. Firecracker and Similar Devices- it is prohibited to light, ignite, fire or blast within the territorial limit of the Municipality of Macarthur. Firecracker, lantaca, gun or revolver or any explosives for a mere pleasure, amusement, rejoicing or to manufacture, sell, give or purchase any such article unless a written permit is first obtained from the fire station Commander of the Fire Service.

Section 11. Fire Protection or Firebreak in Specific Places- any person owning, leasing, controlling, operating or maintaining any factory, storage, warehouse, rest house, cabin, motel, incinerators or other structures situated on adjoining any hill or brush covered with flammable growth and any person owning, leasing or controlling any land adjacent to such structures shall at all times maintain an effective fire protection or firebreak by completely removing or clearing away for a distance of not less than 30 feet on each side thereof flammable vegetation or growth of any combustible material except any standing live trees, evergreen plant or orchard which is cultivated, maintained and preserved for decorative effect.

Section 12. Rules on Deposit of Ashes and Similar Substances- No person shall deposit ashes, smoldering coals or members, oily substance or any material liable to spontaneous combustion or ignition except when deposited in metallic or non-combustible receptacles. Such receptacles, unless resting on the ground outside or away from buildings must be placed on a non-combustible floor or stand.

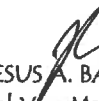
Section 13. Rules on Big Accumulation of Papers and Similar Materials- No person shall expose or allow to remain in the premises of any courtyard or house any big accumulation of papers, hay, excelsior's, straws, wood litters of other combustible rubbish or waste of any kind which may cause fire within the premises.

Section 14. Rules on Usage or Storage of Fibers and Similar Materials- Person making use of or storing loose hemp, abaca fibers, straws, excelsior's paper and shavings sawdust, packing making materials or litters or having charge or control of building or structures or premises wherein such materials are found must, at the close of each working day, securely store the said materials in a metal or non-combustible receptacles with tight fittings cover.

Section 15. Rules on the Storage of Dry Grass, Wood, Waste, Petroleum or Oil in Lands or Premises- No person owning or having control of any parcel of land of premises shall store or allow to exist thereon any grass, weeds straws, papers or woods, sacks, bags, litters, waste petroleum or oil which will give to cause a fire.


Section 16. Rules on Storage of Other Waste Materials- No person shall store any waste material which may by, spontaneous ignition, cause fire, except in metal container used exclusively therefore.

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

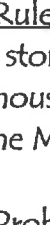
Concurred:


HON. RAULA MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member



HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


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SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: September 22, 2023

Section 17. Rules on Storage of Inflammable in Places of Habitation- No person shall store any Inflammable in any cellar or basement, sanitarium, apartment house, lodging house located in the business or commercial district of the Municipality of Macarthur.

Section 18. Prohibit Inflammable Materials used for decorative Purposes- Highly inflammable materials such as cotton, straws, dry vines, leaves of trees, artificial flowers and foam plastic shall not be used for decorative purposes in show windows or other parts of a mercantile store unless flame proof.

Section 19. Rules on Open Flame or light on Buildings, Vessels and Other Places- No person shall take an open building, barn, vessel or any other place where highly combustible materials are found. All illumination device taken therein shall be secured in a glass globe, wire mesh cage or other similar protective device.

Section 20. Rules on Heating and Lighting Apparatus- no heating or lighting apparatus or equipment capable of igniting flammable materials shall be installed in premises where rugs, excelsior's, papers and highly flammable materials are found in the work area of any shop or factory, manufacturing, repairing, renovating mattress or beddings or in the work area of any establishment engaged in the business of upholstery.

Section 21. Chimney or Smoke Stacks- All chimneys, smoke stacks or similar devices for conveying smokes, and hot gasses to outer air space and the stove furnaces, incinerators, fire boxes or boilers to which they are connected shall be constructed and maintained in such a manner as not to create a hazardous condition and these devices must be of non-combustible materials.

Section 22. Incinerators- Commercial and industrial type incinerators used for burning rubbish or other combustible solid waste materials shall be provided with spark arrested or other effective means for arresting sparks and flying glowing particles.

Section 23. Regulations in the Posting of "NO SMOKING" signs- A "NO SMOKING" sign which must be visible, legible with letters printed at least three (3) inches high, white colored letters with red background, shall be conspicuously installed by the person in charge or in control of the following places:

- a. In every building where hay, straw, dry grasses, excelsior's, nipa shingles and the like are stored in quantities requiring a permit,
- b. In places where dissolved acetylene is manufactured or stored,
- c. Outside or adjacent to the entrance of every film vault, store rooms and/or developing rooms of a picture studio.
- d. On the outside body vehicle used for distribution or gas and other petroleum products,

- e. On the walls and floors of every projection room of theaters and movie houses.

Section 24. Penalties– Any person who violates any provision set forth in this chapter shall suffer upon conviction a penalty of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1,000.00) or an imprisonment of not less than ten (10) days but not more than Twenty (20) days or both such fine and imprisonment at the discretion of the court.

CHAPTER IV GASOLINE SERVICE STATION MAINTENANCE

Section 1. Maintenance– all owners, operators, or leases of gasoline service station are required to observe or cause to be observed the following:

- a. They shall keep and maintain their premises at least Four (4) pails of buckets of sand for fire protection in case of emergency or spillage of gasoline, oil and other.
- b. Oil or grease shall not be allowed to remain on driveways or walkways.
- c. No gasoline of more than one liter in quantity shall be used for cleaning purposes. Used gasoline shall be stored in the air tight containers not exposed to ignition or disposed of in such a way as not to create a fire hazard.
- d. Water hose, air hose, water cans and all other objects shall be kept out of driveways and walkways.
- e. Children shall not be allowed to loiter or play around the gasoline service station premises.
- f. All tanks opening shall be locked except when in use.
- g. No gasoline cans, tins, drums or any other container whether filled or empty or funnel of any description, should be allowed to remain in or near the premises. No combustible materials shall be permitted within Ten (10) feet from the tanks of the Philippines.
- h. Gasoline shall be withdrawn from the tank without unnecessary exposure by a substantially constructed discharge divider of approved design and its location shall be in a manner which will prevent the delivery or leaking of gasoline when not in use.
- i. Smoking or carrying of matches or other smoking materials shall be strictly prohibited. And a "NO SMOKING" sign printed in letters three (3) inches high should be conspicuously displayed and strictly required.
- j. No owner, operator, licensee or employees of any gasoline service station, aircraft refueling posts, or public filling station shall permit the dispensing of motor fuel in or upon such premises by any person except by such in the operator or licensee or a person regularly employed as such in the operation of such station, aircraft refueling post or public filling stations.

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAUL MUNDALA
SB Member

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SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

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SB Member

HON. TRENIO C. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:

HON. RODIN T. BABANTE
Municipal Mayor


Date Approved: SEPTEMBER 22, 2023


Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


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SB Member



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SB Member


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HON. MEL ANDREW P. MALDOS
SKF President

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- k. The owner, operator, licensee of any gasoline service station not allow or permit any tire recapping/vulcanizing repair shop within the premises of the gasoline station, or allow the utilization of such premises as a bus, busses, jeepney terminal.
- l. The owner, operator, licensee of any gasoline service station shall require their helpers before apprenticeship or regular employment to undergo training/seminar on safety handling of Flammable and Combustible Liquid from Fire Service.
- m. The owner, operator, licensee of any gasoline service station shall provide first-aid firefighting devices such as buckets, axes, flashlights, fire extinguishers of 10 pounds chemical weight, one unit for every dispensing pumps, and one unit for every fifty (50) gallons lubricating oil stored therein.

Section 2. Lighting in Gasoline Service Station- no open flame of light shall be used in gasoline service station. Only electric light shall be used. Electrical installation shall comply with the requirements of the latest edition of the Philippine Electrical Code.

Section 3. Electric Meter and Other Devices- Electric meter and other spark emitting devices when provided should be of the type specifically approved for such location as provided for in the latest edition of the Philippine Electrical Code.

Section 4. Flame Producing Device, Prohibition- No flame-producing device, barbecue pits or incinerators shall be located or used within 25 meters from any gasoline service station, dispensing pumps, fill pipes for underground tank unless otherwise approved by the Fire Station Commander of the Fire Service.

Section 5. Waste Petroleum Products and Flammable or Combustible Liquids- No person or entity shall be permitted to discharge flammable or combustible liquids or any waste liquid containing crude petroleum products of any kind, upon any street, highway, drainage, canal or ditch, storm drain or flood control channel lake or tidal watery or upon the ground.

Section 6. Inspection- The Fire Station Commander of the Fire Service or his duly authorized representative shall inspect at least twice a year of all gasoline service stations for fire safety purposes and if the same is maintained in accordance with the provisions of this chapter. Municipal treasurer shall collect a fee of Two Hundred (P200.00) for every inspection conducted by the Fire Station Commander of the Fire Service or his duly authorized representative who will certify to the former such inspection.


Section 7. Penalties- Any person who will violate any provision set forth in this chapter shall suffer upon conviction, the penalty of a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1000.00) or an imprisonment of not less than Ten

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SB Member



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SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. QUIMALAN
ABC President


HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

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days (10) but not more than Twenty days (20) or both such fine and imprisonment at the discretion of the court.

CHAPTER V
PROHIBITION OF SALE OF PETROLEUM PRODUCT OUTSIDE
GASOLINE STATION

Section 1. Scope - all person or individual engage in sale/retail of petroleum product outside of gasoline station.

Section 2. Applicability - DOE Department Circular No. DC 2003-11-010, Providing for the rules and regulations governing the business of retailing liquid petroleum products - Any person engages in the business of retailing liquid petroleum products who commits any of the prohibited acts defined or provided in this circular such as ILLEGAL TRADING, ADULTERATION, UNDERDELIVERY, AND HOARDING. One of these prohibited acts is the bote-bote.

Section 3. Penalties - Any person who will violate any provision set forth in this chapter shall suffer upon conviction, the penalty of confiscation and a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1000.00) or an imprisonment of not less than Ten days (10) but not more than Twenty days (20) or both such fine and imprisonment at the discretion of the court.

Section 4. Confiscation and forfeiture - every penalty imposed for the commission of a felony shall carry with it the forfeiture of the proceeds of the crime and shall be confiscated and forfeited in favor of the LGU. The LGU shall provide a facility for the storage of confiscated petroleum product and use it for its operation.

CHAPTER VI
RETAILER OF INFLAMMABLE GASSES, FLAMMABLE LIQUID,
COMBUSTIBLE MATERIALS PRODUCT IN COMMERCIAL
ESTABLISHMENTS

Section 1. Scope - The standard set forth in this chapter shall apply to liquefied petroleum gas (LPG) Butane, Thinner, Alcohol, Paint, Varnish and other similar products retailed in commercial establishments.

Section 2. Inspection - The Fire Station Commander of the Fire Service or his duly authorize representative shall inspect or cause the inspection of all commercial establishment engage in retailing products mentioned in Section 1 hereof.


Section 3. Structure of Storage Room - In the case of storage rooms for such products, the walls, floors and ceiling thereof shall be of non-combustible construction materials having a fire resistance rating of not less than Four hours (4). It shall be equipped with sufficient vents to

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Municipal Vice Mayor

Concurred:

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SB Member


HON. GWENDOLYN M. BERISO
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HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


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HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:

HON. RUFFIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

provide relief in case of fire or explosion and shall be located so as to minimized damage in the event of an explosion and for other practical purposes.

Section 4. Provision of Smoking- Smoking or carrying of matches on flame producing device or other smoking materials shall be prohibited. A "NO SMOKING" sign printed with letters of Three (3) inches high should be conspicuously displayed and strictly required.

Section 5. Fire Control Provision- A suitable fire control device such as fire hoses, a tank of water, water under pressure, portable fire extinguishers and fire axes shall be available at all times where such products/materials mentioned in Section 1 of this Chapter are stored.

Section 6. Inspection Fees- A Fire Safety Inspection Fee of Two Hundred Fifty Pesos (P250.00) per semester shall be collected by the Municipal Treasurer for inspection made by the Fire Station Commander of the Fire Service, or his duly authorized representative of establishments retailing products/materials mentioned in Section 1 of this Chapter.

Section 7. Penalties- Any person who violates any provision set forth in this Chapter shall suffer upon conviction, the penalty of a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (P1000.00) or an imprisonment of not less than Ten (10) days but not more than Twenty (20) days or both such fine and imprisonment at the discretion of the court.

CHAPTER VII

STORAGE OF MATERIALS SUSCEPTIBLE TO SPONTANEOUS IGNITION

Section 1. Scope- Any material susceptible to spontaneous ignition such as charcoal, copra, volume of abaca, empty abaca sacks, coco husks, dry grass and other similar materials fall within the scope of this Chapter.

Section 2. Storage- Any structure establishment used for storage of any of the materials mentioned in Section 1 hereof shall be of concrete materials ventilated, dry and with an ample area to accommodate the stocks, of which only 4/5 should be utilized.

Section 3. Ventilation- Any building establishment or other enclosures where materials susceptible to spontaneous ignition are stored or processed shall be provided with proper ventilation sufficient to prevent accumulation of overheated gasses at all times. Where natural ventilation is insufficient under all conditions mechanical ventilation shall be provided and used to prevent the accumulation of overheated gasses.

Section 4. Removal of Hazardous Materials- Rotten materials mentioned in Section 1 shall be immediately removed; proper housekeeping shall

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Municipal Vice Mayor

Concurred

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SB Member



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SB Member



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SB Member


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SB Member


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SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

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always be observed; cobwebs, combustible dust and other similar substance shall be eliminated.

Section 5. Sources of Ignition- Open-flames, heating devices and smoking shall be strictly prohibited in buildings or in areas, where such materials are stored. In the absence of natural light, electrical lighting shall be allowed.

Section 6. Fire Control- Suitable control devices such as fire hoses, tank of water, automatic sprinkler system or portable fire extinguisher shall be provided at all times.

Section 7. Inspection- The Fire Station Commander of the Fire Service or his duly authorized representative shall inspect all establishment mentioned in this Chapter at least twice a year. PROVIDED, HOWEVER, that the Municipal Treasurer shall collect thereby an inspection fee of One Hundred Fifty Pesos (P150) for every Inspection conducted.

Section 8. Penalty- Any person who violates any provision set forth in this Chapter shall upon conviction suffer a penalty of a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1000.00) or an imprisonment of not less than Ten (10) days but not more than Twenty (20) days or both such fine and imprisonment at the discretion of the court.

CHAPTER VIII

REGULATIONS PERTAINING TO RESIDENTIAL OCCUPANCIES


Section 1. Residential occupancies shall include those establishments used for such purposes as hotels, motels, lodging houses apartment buildings, dormitories, condominiums, single and two family dwellings.

a. Hotels - Includes buildings or group of buildings under the same management in which there are fifteen (15) sleeping accommodations for hire primarily used by transient who are lodge with or without meals, whether designated as a hotel, Inn, club, motel or by any other name. The so-called apartment or pension houses shall be classified as hotels being subject to transient occupancy like that of hotels.

b. Apartment building - Include buildings containing three (3) or more living units with independent cooking and bathroom facilities, whether designated as row houses, apartment houses, tenements, garden or any other name.

c. Dormitories - Includes buildings where group sleeping accommodations are provided for persons not members of the same family in one room a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, military barracks and the like.

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Municipal Vice Mayor

Concurred:


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SB Member


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SB Member


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SB Member


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SB Member


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SB Member


HON. XANDRIX P. PANTIN
SB Member


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ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

- d. Lodging, Boarding or Rooming Houses – Includes buildings in which separate sleeping room area are rented providing sleeping accommodations for Five (5) or more persons on either transient or permanent basis, with or without meals, but without separate cooking facilities for individual occupants.
- e. Single and Two Family Dwelling – Includes detached dwellings with each living unit occupied by members of a single family.

Section 2. Permit and Inspection Required. – No person shall maintain or operate hotels, dormitories, lodging or rooming houses, boarding houses, condominiums, single and two family dwellings without an approved permit and/or corresponding Fire Safety Inspection Clearance by the Fire service.

Section 3. Provision for Common Cooking area/kitchen. – Owners or operator of boarding houses, dormitories, rooming or lodging houses shall provide their boarders, lodgers, bed spacers with a common cooking area constructed with fire proof and fire resistive materials.

Section 4. Prohibition on Cooking Inside Bedrooms or other Rooms – Cooking inside bedrooms or other rooms of boarding houses, lodging houses hotels or dormitories not designated as common cooking area or kitchen is strictly prohibited. Owners or operators of boarding houses, rooming and lodging houses, hotels or dormitories shall be held solidarity liable with boarders, lodgers or occupants who violate this provision of the Code.

Section 5. Provision for the Confiscation of Electric, gas, Kerosene, Wood, Charcoal Stove and Others – The Fire Station Commander of the Fire Service or his duly authorized representative shall have the power/authority to confiscate any cooking facility such as Electric, gas, kerosene, wood, charcoal stove or other similar cooking facilities found inside bedrooms or any other rooms of boarding houses, lodging or rooming houses, hotels or dormitories not designated as common cooking area or kitchen, where such cooking facility or facilities are being used or intended to be used in boiling water or in cooking food by or for the occupants thereof. Such facilities shall be returned only upon the owner's or operators or boarders and lodgers or occupant's guarantee to abide with the provision of the preceding section of this Chapter and upon payment of the fine of Five Hundred (500) Pesos payable to the office of the Municipal Treasurer.

Section 6. Dormitories, lodging or rooming houses, boarding houses shall be provided with a stair type fire escape remote from the main door/stair.


Section 7. Inspection Fee – The Fire Station Commander of the Fire service or his duly authorized representative shall cause the inspection of all occupancies mentioned in Chapter 1 hereof at least once a year and

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Municipal Vice Mayor

Concurred:


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SB Member

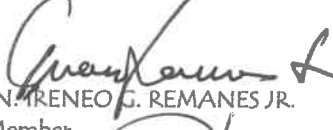

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SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 20, 2023

shall certify such inspection to the Municipal Treasurer who shall collect thereby an inspection fee in the amount of One Hundred Fifty (150) Pesos for 10 units/room and below, and twenty pesos per succeeding rooms until it reach the maximum payment of One Thousand (1,000) Pesos, except, single or two family dwellings which are exempted from the above fees.

Section 8. Provision of Stair Type Fire Escape - Fire safely requirements must conform with the Rules and Regulations embodied in the Fire Code of the Philippines (R.A. 9514).

Section 9. Fire Control Provision - A suitable fire control device such as fire hoses, water buckets, a tank of water or water under pressure, portable fire extinguishers and fire axes shall be available at all times.

Section 10. Penalty - Any person who violates any provision set forth in this Chapter shall after conviction suffer a penalty of a fine of not less than Seven Hundred Fifty Pesos (Php750.00) but not more than One Thousand Five Hundred Pesos (Php1,500.00) or an imprisonment of not less than Twenty days (20) but not more than Forty days (40) or both such fine and imprisonment at the discretion of the court.

CHAPTER IX

REGULATIONS PERTAINING TO MERCANTILE OCCUPANCY

Section 1. Applicability - Any person maintaining or operating a mercantile establishment in addition to other applicable provisions of this code to safeguard human life, property and merchandise must comply with the following provisions of this Chapter.

Section 2. Mercantile Defined - Mercantile occupancies includes stores, markets and other rooms, buildings or structures for the display and/or sale of merchandise. Included in this occupancy group are: supermarkets, department stores, shopping centers, drugstore, auction rooms and sari-sari store.

Section 3. Classification of Mercantile Occupancy -

Class A = All stores having an aggregate gross area of Two Thousand Seven Hundred Eighty-Eight square meters (2,788 sqm) or more or utilizing more than three (3) floor levels of a building for sales purposes.
Class B = All stores of less than Two Thousand Seven Hundred Eighty-Seven Square Meters (2,787 sqm) aggregate gross area, but over Two Hundred Seventy-Nine Square Meters (279 sqm), or utilizing any balcony, mezzanine or floor above or below the street floor level for sales purposes, except that if more than three (3) floors are utilized, the store shall be considered Class A, regardless of area.

Class C= All stores of Two Hundred Seventy-Eight Squares Meters (278 sqm) or less gross area used for sales purposes on the street floor only.

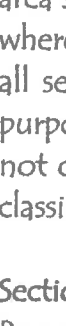
Attested:


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Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member

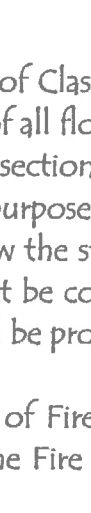

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SB Member



HON. VICTORIANO T. LAZAR
SB Member

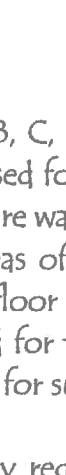

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SB Member


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SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Section 4. For the purpose of Class, A, B, C, stores the aggregate gross area shall be the total area of all floors used for mercantile purposes and where a store is divided into sections by fire walls shall include the area of all sections used for sales purposes. Areas of floors not used for sales purposes such as floor below the street floor used only for storage and not open to public shall not be counted for the purposes of the above classifications, but exits shall be provided for such non-sales areas.

Section 5. For the purpose of Fire Safety requirements, the Rules and Regulations embodied in the Fire Code or the Philippines (R.A. 9514) shall be adopted.

Section 6. Fire Extinguishers and Fire Drills - All mercantile occupancies shall be provided with sufficient fire extinguishers. Mercantile establishments with fifty (50) employees and above shall organize a Fire Brigade and conduct periodic Fire Prevention and Fire Fighting Drills.

Section 7. Location of Firefighting Equipment - All firefighting equipment must be located in accessible areas and approaches thereof must be kept unobstructed. The location of such firefighting equipment must be visibly marked and labeled.

Section 8. Permit and Inspection Required. - No person shall maintain or operate a mercantile establishment mentioned in Section 2 of this Chapter without an approved permit and a corresponding Fire Safety Inspection Certificate from the Fire Service.

Section 9. Inspection Fee - The Fire Station Commander or the Fire Service or his duly authorized representative shall cause the inspection of all establishments mentioned in Section 2 of this Chapter at least once a year and shall certify such inspection to the Municipal Treasurer who shall collect thereby an inspection fee the amount of One Hundred Pesos (Php100.00) for Class C, Five Hundred Pesos (Php500.00) for Class B, and One Thousand Pesos (Php1,000.00) for Class A.

Section 10. Penalty - Any person who violates any provision set forth in this Chapter shall suffer upon conviction, a penalty of a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos or an imprisonment of not less than Fifteen days (15) but not more than Thirty days (30) or both such fine and imprisonment at the discretion of the Court.

CHAPTER X
BUSINESS OCCUPANCY


Section 1. Business Occupancy Defined - Business occupancies are those used for the transaction of business other than that covered under mercantile for keeping of accounts and similar purposes. Included in this occupancy are: Office of Lawyers, Doctors, Dentists and other

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


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SB Member


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SB Member



HON. VICTORIANO T. LAZAR
SB Member


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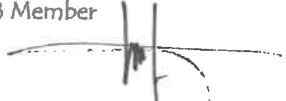

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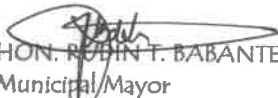

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SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. ROBIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

professionals, general offices, city/municipal halls, business process outsourcing (BPO), call centers, Internet shops, massage parlors, beauty parlors, barbershops of less than 50 occupants, and court houses. All other Businesses not mentioned in this ordinance that need fire safety inspection shall fall under this chapter.

Section 2. For Fire Safety requirements the Rules and Regulations embodied in the Fire Code of the Philippines (R.A. 9514) shall be adopted herein.

Section 3. Fire Extinguishers and Fire Drills. - All business establishments shall be provided with sufficient Fire Extinguishers as provided for in Chapter XX Section 6 of this Code and train personnel to use the equipment effectively and shall further conduct periodic Fire Prevention and Fire Drills.

Section 4. Location of Firefighting Equipment - All firefighting equipment must be located in accessible areas and approaches thereof must be kept unobstructed. The location of such firefighting equipment must be visibly marked and labeled.

Section 5. Inspection Required - All business establishment mentioned in Section 1 of this Chapter shall have a Fire Safety Inspection Certificate issued by the Fire Station Commander of the Fire Service.

Section 6. Inspection Fees - The Fire Station Commander of the Fire Service or his duly authorized representative shall cause the inspection of all business establishments at least once a year and shall certify such inspection to the Municipal Treasurer who shall collect thereby an inspection fee of One Hundred Fifty Pesos (P150.00) except government offices which are exempted from said fees.


Section 7. Penalty - Any person who violates any provision of this Chapter shall upon conviction suffer a penalty of a fine not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1,000.00) or an imprisonment of not less than Ten (10) days but not more than Twenty (20) days or both such fine and imprisonment at the discretion of the Court.

CHAPTER XI

REGULATIONS PERTAINING TO DRYING OVEN, BAKERY AND BAKESHOPS

Section 1. Scope - This regulation pertains to drying ovens (ex. copra and palay dryer), bakeries and bakeshops, having ovens which are fueled with inflammable gasses, combustible liquids, electrical heaters, charcoal, firewood, rice husks and similar fuels.

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAUL E. MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member

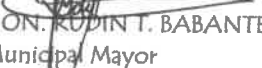

HON. IRENEO C. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor


Date Approved: SEPTEMBER 22, 2023

Section 2. Location and Instruction - Any drying oven, or oven used in bakeries and bakeshops which are fueled with inflammable liquid, electric heaters, charcoal, firewood, rice husks and other similar fuels shall conform to the following:

- a. Ovens, ovens heaters, and related equipment shall be located with due regard with the possibility of fire resulting from overheating or from the escape of fuel gas or fuel oil and the possibility of damage to the building and injury to persons resulting from explosions.
- b. Ovens shall be located at above grade and be readily accessible for an inspection and maintenance and with adequate clearances to permit the proper functioning of explosion vents. Roof of ovens shall be sufficiently insulated and ventilated to keep temperatures of combustible ceilings and floors below.
- c. Ovens shall be constructed of non-combustible materials throughout and adequate guards shall be provided to protect personnel.
- d. Ovens which may contain air-gas mixture shall be equipped with devices or relief vents for freely relieving internal explosions causative pressure.
- e. All ducts, vents, chimney, roofs shall be made tight throughout and shall have no openings other than those required for the proper operation and maintenance of the system. Ducts, vents, chimney passing through Combustible walls, floor, roofs shall have adequate insulation and clearances to prevent surface temperature from reaching ignition temperature of the surrounding materials. Exhaust ducts, vents, chimneys shall not discharge near door, windows, or other air intakes in a manner that will permit re-entry of heated smoke, gas, vapors into building.
- f. Fuel containers of inflammable gases, Combustible liquids used as fuels for ovens shall be located in separate rooms/enclosure with proper ventilation and protection. The fuel supply line shall be of metallic tubing laid quite horizontally from the fuel container tank to the oven.


Section 3. Ventilation - Ovens where flammable or toxic vapors are liberated, or through which products of combustion are circulated shall be ventilated by the introduction of a supply of fresh air and the proper exhaust to the outdoors. Discharge pipe shall not terminate within three meters measured horizontally from doors, windows or wood frame walls of any buildings such oven ventilations shall be so arranged so to provide vigorous and well-distributed air circulation within the oven to ensure

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAULE MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LLERIA JR.
SB Member

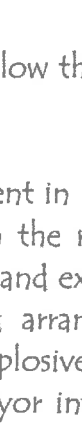

HON. RENE C. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

that the flammable vapor concentration will be safely below the lower explosive limit at all times.

Section 4. Safety Control - Safety control shall be sufficient in number and substantially constructed and arranged to maintain the required conditions of safety and prevent the development of fire and explosion hazards. Fuel safety controls, suitably interlocked and arranged to minimize the possibility of dangerous accumulations of explosive air fuel mixture in the heating system shall be provided. Conveyor interlocks shall be provided in conveyor ovens having a flammable vapor hazard, so that the conveyor cannot move unless ventilating fans are operating and discharging the required amount of air.

Section 5. Inspection - The Fire Station Commander of the Fire Service or his duly authorized representative shall cause the inspection of all establishments having drying oven such bakeries and bakeshops at least once a year and shall certify such inspection to the Municipal Treasurer who shall collect thereby an inspection fee of One Hundred Fifty Pesos (P150.00).

Section 6. Penalty - Any person who violates any provision in this Chapter shall suffer upon conviction a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1,000.00) or an imprisonment of not less than Twenty days (20) but not more than Forty days (40) or both such fine and imprisonment at the discretion of the court.

CHAPTER XII
REGULATIONS PERTAINING TO FACTORIES AND OTHER
INDUSTRIAL ESTABLISHMENT

Section 1. Industrial occupancies shall include factories manufacturing products of kinds such as but not limited to factories, ice plants, processing, assembling, mixing, packaging, finishing or decorating, repairing auto shops, electrical shop, welding shop, vulcanizing shop and similar operations.

Section 2. Location - Vulcanizing shop, auto repair shop, radiator shop shall be located at a distance not less than 25 meters from any gasoline service station, storage of inflammable liquids, inflammable gasses and other explosives materials.

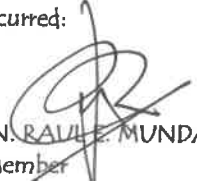
Section 3. Fire Safety Requirements - any person, owner, manager of auto repair shop, welding shop, vulcanizing shop, radiator shop shall observe Fire Safety Requirements prescribed in the Fire Code of the Philippines (R.A. 9514) as adopted therein.


Section 4. Fire Extinguishers and Fire Drill - All factories and other industrial establishments shall be provided with sufficient fire extinguishers and persons trained to use the equipment correctly and

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


HON. RAUL E. MUNDALA
SB Member



HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member



HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. KENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President


HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUPIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

who shall be present during working hours. Each company or firm or any person in-charge with maintaining such factories or establishments shall conduct periodic Fire Prevention and Fire Fighting Drills.

Section 5. Location of Fire Fighting Equipment - All firefighting equipment must be located in accessible areas, and approaches thereof must be kept unobstructed. The location of such firefighting equipment must be visibly marked and labeled.

Section 6. Permit and Inspection Required - No person shall maintain or operate industrial occupancies mentioned in Section 1 without an approved permit and a corresponding Fire Safety Inspection Certificate by the Fire Service.

Section 7. Inspection Fee - The Fire Station Commander of the Fire Service or his duly authorized representative shall inspect or cause the inspection of all Occupancies mentioned in Section 1 of this Chapter at least once a year and shall certify such inspection fee in the amount of Two Hundred Pesos (Php200.00)

Section 8. Penalty - any person who violates any provision set forth shall suffer a penalty of a fine of not less than Five Hundred Pesos (Php500.00) but not more than two Thousand Pesos (Php2,000.00) or an imprisonment of not less than Fifteen days (15) but not more than Thirty days (30) or both fine and imprisonment at the discretion of the court.

CHAPTER XIII
FIRE EXTINGUISHERS

Section 1. Requirement - All owners, manager or person charged with the management of any hotel, boarding houses, restaurants, warehouses, show houses, drugstores, eatery, garage, repair shops, gasoline stations, bulk plants, storage of warehouse or any other establishments engaged in the selling of highly inflammable products, combustible materials and all other establishment within the commercial district are hereby required to provide fire extinguisher which must be in such a condition that they can used immediately and effectively when needed in a situation when fire may occur. Fire axes, water buckets and sufficient amount of water in drums shall be provided.

Section 2. Instructions - Fire extinguishers must be maintained in such a manner that it will function at all times. All persons mentioned in Section 1 hereof are charged with the obligation to give or cause to give instruction to their employees, the proper handling and operations of fire extinguishers.

Section 3. Capacity of Weight - All types of fire extinguishers shall not be less than 10 pounds chemical weight for residential and commercial use. All types of fire extinguishers mentioned shall be provided with


Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


HON. RAUL E. MUNDALA
SB Member



HON. GWENDOLYN M. BERISO
SB Member

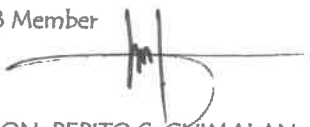

HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN J. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member



HON. LEONARDO R. LERIA JR.
SB Member


HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member

HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

nozzle, pressure gauge, pressure valve assembly, carry handle, lever, hanger, and tag.

Section 4. Inspection/Service fee - All fire extinguishers required in this Chapter shall be subject to periodic inspection and immediate repair of any defect and for which an inspection fee of One Hundred Pesos (Php100.00) shall be collected by the Municipal Treasurer per unit inspected. Refilling or recharging shall be done immediately when the fire extinguisher's chemical has been used up by Licensed Private Servicing, Recharging, Refiling and Manufacturing Company.

Section 5. Owner, operator, manager of any establishment having fire extinguishers without inspection certificate and tag issued by the Fire Station Commander shall not be honored as pre-requisite to the issuance or renewal of business permit.

Section 6. Penalty - any person who violates any provision set forth in this Chapter shall suffer upon conviction a penalty of a fine of not less than Five Hundred Pesos (Php500.00) but not more than One Thousand Pesos (Php1,000.00) or an imprisonment of not less than Twenty days (20) but not more than Forty days (40) or both such fine and imprisonment at the discretion of the court.

CHAPTER XIV

REGULATION RELATING TO ELECTRICAL INSTALLATION

Section 1. General Provisions - The Fire Station Commander of the Fire service shall be empowered to strictly enforce the provisions set forth in the latest edition of the Philippine Electrical Code and conduct inspection for the enforcement of laws, ordinances relating thereto.

Section 2. Submittal of Electrical Plan or Lay-out - Owners or managers of new establishments, residential house, or any building shall provide the Office of the City/Municipal Fire Marshal of the Fire Service with the "ELECTRICAL PLAN OR WIRING LAY-OUT" of their building before construction.

Section 3. Removal of Defects - Failure of any owner or user to correct, remedy, or removed condemned wires, poles, and other apparatus within fifteen (15) days from the issuance of notice to correct violation, such condemned wires, poles, or other apparatus shall serve as authority for the Fire Station Commander of the Fire Service to proceed to correct, remedy or removed such wires, poles, or other apparatus at the owner's expense in addition to the penalty imposed.


Section 4. Generator Set - Owner's or operators, leases of any establishment having a generator set shall secure permit from the Fire Service for the installation/utilization of such generator set and a permit

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor


Concurred:


HON. RAUL E. MUNDALA
SB Member

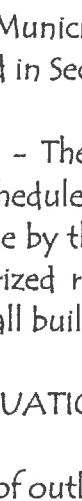

HON. GWENDOLYN M. BERISO
SB Member

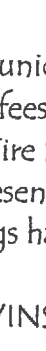

HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President


HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

fee shall be paid to the Municipal Treasurer in accordance with the schedule of fees mentioned in Section 10, paragraph 1 of this Chapter.

Section 5. Inspection Fees - The Municipal Treasurer shall collect the amount specified in the schedule of fees enumerated hereunder for the evaluation/inspection made by the Fire Station Commander of the Fire Service or his duly authorized representative who shall certify to the former such inspection of all buildings having electrical installations.

ELECTRICAL EVALUATION/INSPECTION FEES

For Three (5) or less total of outlet and convenience outlet
Php100.00

FOR EVERY ADDITIONAL

- a. outlet (lighting/fixed appliances) Php20.00 each
 - b. switch Php20.00 each
 - c. Convenience outlet Php20.00 each
 - d. For each circuit breaker or safety switch cut-out Php30.00 each
 - e. Generator AC or DC, KVA-KW and its controlling equipment
- | | |
|---------------------------------------|-----------|
| for each generator up to 5 KVA | Php100.00 |
| Over 5 KVA but not exceeding 10 KVA | Php150.00 |
| Over 10 KVA but not exceeding 30 KVA | Php200.00 |
| Over 30 KVA but not exceeding 60 KVA | Php300.00 |
| Over 60 KVA but not exceeding 100 KVA | Php500.00 |
| for every KVA-KW above 100 KVA | Php20.00 |

Section 6. Electrician Practicing Within Municipality - Any electrical installation in any establishment, building, structures, or premises shall be done by a duly accredited/licensed electrician. All electrician practicing within the municipality must be recognized and accredited by the local fire station for conformity and liability on any malpractice on their line of work. Any electrical installation application not installed/processed/signed by the recognized and accredited electrician of the local fire station shall not be entertained/accepted.

Section 7. Penalty - Any person, firm, corporation or entity who violates any of the provisions under this Chapter shall be punished upon conviction by a fine of not less than Seven Hundred Fifty Pesos (Php750.00) but not more than One Thousand Five Hundred Pesos (Php1,500.00) or an imprisonment of not less than Twenty days (20) but not more than Forty days (40) or both such fine and imprisonment at the discretion of the court.

CHAPTER XV

REGULATIONS PERTAINING TO FIRE FIGHTING OPERATION

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAHIL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member

HON. IRENEO G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Section 1. Impersonation - A penalty of imprisonment upon conviction for not less than One (1) month but not more than Two (2) months shall be imposed upon any person impersonating a fireman.

Section 2. Mutilation - A penalty of imprisonment upon conviction of One (1) month to Two (2) months shall be imposed upon any person who shall destroy mutilate, tamper and/or deface any fire alarm box or part thereof fire hydrant and other firefighting apparatus of the Local Fire Station

Section 3. Interference - A penalty of imprisonment upon conviction of not less than One (1) month but not more than Two (2) months shall be imposed upon any person who shall obstruct the approach of any firefighting apparatus or shall otherwise interfere with the function of such firefighting apparatus of the Local Fire Station without the authority from the Fire Station Commander of the Fire Service.

Section 4. Obstruction - A penalty upon conviction of a fine of not less than Five Hundred Pesos (P500.00) but not more than One Thousand Pesos (Php1,000. 00) shall be imposed upon idlers and suspicious persons who refuse to move out the vicinity of the fire, upon any person who shall obstruct and interfere with the duties of firemen while in fire-fighting operation and upon unauthorized persons who remain within a minimum radius of Thirty (30) meters from the scene of the fire.

Section 5. Driving Over Fire Hose - Any operator of a vehicle who drives over or across any fire hose in use or about to be used or lying on the street after being used shall be penalized upon conviction by a fine of not less than Three Hundred Fifty Pesos (Php350.00) but not more than Seven Hundred Fifty Pesos (Php750.00) or an imprisonment of not less than One (1) month but not more than Two (2) months or both such and imprisonment at discretion of the court.

CHAPTER XVI
DELEGATION OF POWERS

Delegation of Powers - The Fire Station Commander of the Fire Service is hereby empowered to promulgate Rules and Regulations suppletory to the provisions of this Code in order to render effective enforcement of the provisions thereof.

CHAPTER XVII
BUSINESS PERMIT AND CLEARANCES

Section 1. No business permit shall be approved, issued to any person, owner, manager or proprietor of any establishments mentioned in the individual Chapter of this Ordinance unless a Fire Safety Inspection

Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member

HON. IRENEO T. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:

HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Certificate has been secured from the Fire Station Commander of the fire service.

Section 2. Issuance of Fire Safety Clearance Certificate - the Fire Station Commander of the Fire Service shall issue the required Fire Safety Inspection Certificate to the person, owner, manager, or proprietor of establishment mentioned in the individual Chapters of this Code provided said establishment conform with the requirement comfort with the requirements set forth in this Code and the Fire Code of the Philippines (R.A. 9514).

CHAPTER XVIII PAYMENT REFERENCE

Section 1. Fees stipulated in this section are subject for 10% increase every three (3) years to cope-up with inflation.

Inspection Fee

1. Gasoline Station	P200.00
2. Retailer of inflammable Products (ex. LPG)	P250.00
3. storage of materials susceptible to spontaneous ignition (ex. Copra)	P150.00
4. Residential Occupancy	
a. 10 units/rooms and below	P150.00
b. Additional units/rooms	P20.00 each
5. Mercantile Occupancy	
a. Class A	P1,000.00
b. Class B	P500.00
c. Class C	P100.00
6. Business Occupancy	P150.00
7. Dryer and bakeshop	P150.00
8. Industrial Occupancy	P200.00
9. Fire Extinguisher	P100.00 each

ELECTRICAL EVALUATION/INSPECTION FEES

For Five (5) or less total of outlet and convenience outlet P50.00

FOR EVERY ADDITIONAL


a. outlet (lighting/fixed appliances)	P10.00 each
b. switch	P10.00 each
c. Convenience outlet	P20.00 each
d. For each circuit breaker or safety switch cut-out	P20.00 each
e. Generator AC or DC, KVA-KW and its controlling equipment.	
for each generator up to 5 KVA	P50.00
Over 5 KVA but not exceeding 10 KVA	P100.00

Attested:



HON. JESUS A. BARANDA
Municipal Vice Mayor

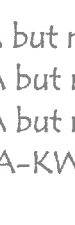
Concurred:


HON. RAUFFE MUNDALA
SB Member



HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member



HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President


HON. MEL ANDREW P. MALDOS
SKF President

Approved:


HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2023

Over 10 KVA but not exceeding 30 KVA	P150.00
Over 30 KVA but not exceeding 60 KVA	P200.00
Over 60 KVA but not exceeding 100 KVA	P300.00
for every KVA-KW above 100 KVA	P10.00

CHAPTER XIX FINANCIAL SUPPORT

Section 1. Fire Safety Inspection Certificate shall be issued upon payment by the applicant.

Section 2. MANNER OF PAYMENT - Payment of fees of the herein provided ordinance shall be accepted only by the Office of the Municipal Treasurer upon presentation of the Order of Payment issued by the Office of the Municipal Fire Marshall of this municipality.

CHAPTER XX MISCELLANEOUS PROVISION

Thirty Percent (30%) of all inspection fees charged by the municipality shall go to the trust fund of the Local Fire Station for the use in the maintenance of their Fire Truck and Fire Station and other expenses for the implementation of this code like inspection vehicle and its maintenance, inspection expenses, investigation tools and investigation expenses, and etc. within the municipality.

CHAPTER XXI REPEALING CLAUSE

Any Ordinance inconsistent with this Provisions hereof are hereby repealed or amended accordingly.

CHAPTER XXII SEPARABILITY CLAUSE

If any Section or portion of this Code declared unconstitutional, contrary to existing laws or ultra vires, such declaration shall not invalidate the whole of this Code.

CHAPTER XXIII EFFECTIVITY CLAUSE

This Ordinance shall take effect after the approval from the Sangguniang Panlalawigan and the requirement of posting prescribed in RA 7160 is complied with.

Attested:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:


HON. RAULIE MUNDALA
SB Member


HON. GWENDOLYN M. BERISO
SB Member


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member

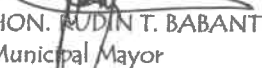

HON. ARNEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President

Approved:



HON. RUDIN T. BABANTE
Municipal Mayor

Date Approved: SEPTEMBER 22, 2021

ENACTED by the Sangguniang Bayan in session assembled on September 4, 2023 at MacArthur, Leyte, Philippines.

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


MARIE STEPHANIE D. PULGA
Secretary to the Sanggunian




Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

-----oOo-----

Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

THIS IS TO CERTIFY that Municipal Ordinance No. 05, Series of 2023 of the Sangguniang Bayan of MacArthur, Leyte, duly enacted on September 4, 2023 and approved last September 22, 2023 has been posted since September 25, 2023 at the bulletin board of the Municipal Hall, at Poblacion Public Market, and at Palale I Outpost pursuant to Section 511 of R.A. 7160.


MARIE STEPHANIE D. PULGA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR


-----oO-----

Office of the Sangguniang Bayan

Concurred:


HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member (Absent)



HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member

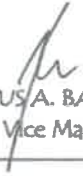

HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President (Absent)

Approved:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Minutes of the Public Hearing of the Sangguniang Bayan of MacArthur, Leyte held on August 11, 2023 at the Municipal Gymnasium, Municipal Compound, MacArthur, Leyte.

PRESENT:

Honorable Jesus A. Baranda	Vice Mayor
Honorable Raul E. Mundala	SB Member
Honorable Victoriano T. Lazar	SB Member
Honorable Jonathan T. Barquin	SB Member
Honorable Trina C. Burawis	SB Member
Honorable Leonardo R. Leria Jr.	SB Member
Honorable Ireneo G. Remanes Jr.	SB Member
Honorable Xandrix P. Pantin	SB Member
Honorable Pepito C. Guimalan	ABC President

ABSENT:

Honorable Gwendolyn M. Beriso	SB Member
Honorable Mel Andrew P. Maldos	SKF President

Proposed Municipal Ordinance No. 10, Series of 2023
AN ORDINANCE ESTABLISHING THE 2023 MUNICIPAL TRAFFIC CODE OF MACARTHUR, PROVINCE OF LEYTE AND PROVIDING PENALTIES FOR VIOLATORS THEREOF, AND FOR OTHER PURPOSES

Proposed Municipal Ordinance No. 05, Series of 2023
AN ORDINANCE ENACTING THE REVISED FIRE PREVENTION CODE OF THE MUNICIPALITY OF MACARTHUR, LEYTE PRESCRIBING RULES AND REGULATIONS COVERING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIVES PROVIDING FOR SERVICE FEES PENALTIES AND FOR OTHER PURPOSES

Proposed Municipal Ordinance No. 14, Series of 2023
AN ORDINANCE ESTABLISHING BICYCLE LANES DESIGNATING ROADS IN THE MUNICIPALITY OF MACARTHUR, LEYTE AND PROVIDING FUNDS THEREOF

The Public Hearing was attended by the Municipal Officials of the Local Government Unit of MacArthur, Leyte headed by the Local Chief

Concurrent:


HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member (Absent)


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LERIA JR.
SB Member


HON. IRENEO G. REMANES JR.
SB Member


HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President (Absent)

Approved:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Executive, Honorable Rudin T. Babante, functionaries, punong barangays, and CSO representatives.

The activity was to tackle the following proposed Municipal Ordinances:

Municipal Ordinance No. 10, Series of 2023
Municipal Ordinance No. 05, Series of 2023
Municipal Ordinance No. 14, Series of 2023

The program started at 10:42 in the morning. It began with a prayer and singing of the national anthem and MacArthur Hymn and followed by acknowledging the participants done by Ms. Judelyn Eusebio.

Afterwards, The Local Chief Executive, Honorable Rudin T. Babante, graced the event with his welcome address. He thanked everyone for their presence and stated the relevance of the public hearing. He shared that he received complaints from drivers/operators, and some are going to his residence to raise their complaints. He also stated that, to generate income, permit holders should pay their obligations. After he delivered his message, he excused himself to attend into his commitments.

Along this line, Honorable Lazar, Chairman on the Committee on Transportation, proponent of proposed Municipal Ordinance No. 10, Series of 2023. He presented his proposal highlighting the following provisions:

- ARTICLE III DEFINITION OF TERMS SECTION 1.
- ARTICLE V RESTRICTIONS ON THE MANNER OF DRIVING AND SPEED OF MOTOR VEHICLES SECTION 2 and 3
- ARTICLE VII OBSTRUCTION OF TRAFFIC FLOW SECTION 2
- ARTICLE VIII PARKING SECTION 1 and 2
- ARTICLE X RULES AND REGULATION IN THE OPERATION OF MOTOR VEHICLES AND ITS PROHIBITIONS SECTION 1, 19, and 38
- CHAPTER III OTHER TRAFFIC RELATED MATTERS ARTICLE I VIOLATIONS OF LICENSING AND DRIVING RULES & REGULATIONS SECTION 1
- CHAPTER IV CREATIONS OF A MUNICIPAL TRICYCLE FRANCHISING AND REGULATORY BOARD (MTFRB)/ AND THE TRAFFIC MANAGEMENT OFFICE ARTICLE I COMPOSITION ITS AND POWERS & DUTIES SECTION 1
- ARTICLE III FOR ALL VEHICLES OPERATING OUTSIDE THE POBLACION BUT WITHIN THE MUNICIPALITY SECTION 1
- ARTICLE I PENAL PROVISION SECTION 1

After Honorable Lazar made the presentations, open forum begun. A member of TODA raised his concern regarding single motorcycles who

Concurred:


HON. RAUL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member (Absent)


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R. LERIA JR.
SB Member


HON. IRENEO G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President (Absent)

Approved:


HON. JESUS A. BARANDA
Municipal Vice Mayor

do not have permits causes rivalry in the accommodation of passengers. Mr. Noya, President of TODA suggested to have the traffic enforcers to render duty the whole day. Honorable Lazar answered by citing Chapter 7 stating that the traffic management office is mandated to monitor the traffic. Meanwhile Honorable Milar, Punong Barangay raised his concern on those motorpots who has the maximum capacity of 6 passengers, who does not accommodate or denies transporting passengers with less than the number of 6 passengers. Honorable Lazar stated that drivers are not allowed to refuse. Mr. Noya there could only be two passengers based on the policy of TODA. A participant from Barangay Causwagan suggested that there should be waiting time. Mr. Noya added that in terms of emergency cases they immediately go. Honorable Canete, Punong Barangay stated to consider the drivers since they are also incurring fuel expenses. The Honorable Vice Mayor declared that it is case to case basis and in terms of emergency, it shall be accommodated. He also asked the number of colorum operators operating without permit. Mrs. Acala, BPLO, answered that there are approximately 20. Furthermore, Honorable Mundala said to identify what type of emergency is being catered to. Mr. Noya shared that their group are giving community services such as libreng sakay for students. Meanwhile, Honorable Pantin recommended that the habal-habal should reorganize and submit to the MTO the names of its members. Mr. Molero, habal-habal operator said that they are willing to pay but still waiting for the ordinance. He also aired his sentiments that habal-habal are considered private and only Angkas is the only single motorcycle transportation that is being recognized by the government to accommodate passengers.

Furthermore, Mr. Pille, a member of TODA answered to Mr. Paguipo that situation is on case to case basis like if there are members of TODA who are willing to transport passengers to upland barangays. Honorable Remanes Jr. suggested to have specific routes for habal-habal and motorpots. He also added that habal-habal must give the list of its members and have an organized association.

Ms. Acala, BPLO-Designate suggested that there will be a ticket to be issued in the amount of 10.00 per day of per operation. Honorable Pantin also manifested to have fare matrix schedule and the regulatory fees will be based on the Local Revenue Code.

After the open forum for the proposed Municipal Ordinance No. 10, Series of 2023, Honorable Leria Jr. presented the proposed Municipal Ordinance No. 14, Series of 2023. Immediately it was followed with the open forum. Mr. Pille asked if the pedicabs will still be allowed to pass through the bicycle lane. Honorable Leria Jr. answered that they will still be allowed given that they will give priority to bicycle riders.

Since there no much concerns raised with the proposed Municipal Ordinance No. 14, Series of 2023, it was followed with the presentation of the Municipal Ordinance NO. 05, Series of 2023. It was presented by Honorable Remanes Jr. After the presentations was made, Honorable

Concurred:


HON. RAL E. MUNDALA
SB Member

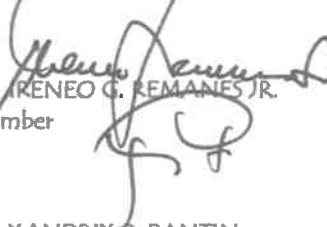
HON. GWENDOLYN M. BERISO
SB Member (Absent)


HON. VICTORIANO T. LAZAR
SB Member


HON. JONATHAN T. BARQUIN
SB Member


HON. TRINA C. BURAWIS
SB Member


HON. LEONARDO R. LLERIA JR.
SB Member


HON. RENE O. G. REMANES JR.
SB Member

HON. XANDRIX P. PANTIN
SB Member


HON. PEPITO C. GUIMALAN
ABC President

HON. MEL ANDREW P. MALDOS
SKF President (Absent)

Approved:


HON. JESUS A. BARANDA
Municipal Vice Mayor

Mundala gave emphasis on the importance of having a municipal fire code. To give further information, SFO4 Colilihan was given the time to inform the body that the national and local imposes fees. Honorable Milar, Punong Barangay asked clarifications regarding the tangled utility cable wires that causes electrical fires if whose jurisdiction to call if there are hazardous incidents. SFO4 Colilihan answered that it is upon the utility provider or the barangay can inform the BFP Office so that they can also help in the indorsement to the rightful authority.

Since there were no more concerns raised, the Honorable Chair gave his closing message and thanked everyone for their time in participating in the Public Hearing.

ADJOURNMENT

The Public Hearing was adjourned at 1:35 in the afternoon.

I HEREBY CERTIFY to the correctness of the foregoing minutes.


MARIE STEPHANIE D. PULGA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayan

Public Hearing conducted last August, 2023, held at the Municipal Gymnasium located at the Municipal Compound on the following Municipal Ordinances, to wit:

- a. Municipal Ordinance No. 10, Series of 2023
AN ORDINANCE ESTABLISHING THE 2023 MUNICIPAL TRAFFIC CODE OF MACARTHUR, PROVINCE OF LEYTE AND PROVIDING PENALTIES FOR VIOLATORS THEREOF, AND FOR OTHER PURPOSES
- b. Municipal Ordinance No. 05, Series of 2023
AN ORDINANCE ENACTING THE REVISED FIRE PREVENTION CODE OF THE MUNICIPALITY OF MACARTHUR, LEYTE PRESCRIBING RULES AND REGULATIONS COVERING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIVES PROVIDING FOR SERVICE FEES PENALTIES AND FOR OTHER PURPOSES
- c. Municipal Ordinance No. 14, Series of 2023
AN ORDINANCE ESTABLISHING BICYCLE LANES DESIGNATING ROADS IN THE MUNICIPALITY OF MACARTHUR, LEYTE AND PROVIDING FUNDS THEREOF







Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MACARTHUR

Office of the Sangguniang Bayan

ATTENDANCE

PURPOSE : Public Hearing for the following Municipal Ordinances:

Municipal Ordinance No. 05, Series of 2023
Municipal Ordinance No. 10, Series of 2023
Municipal Ordinance No. 14, Series of 2023

VENUE : Municipal Gymnasium

DATE : August 11, 2023

No.	NAME	DESIGNATION	SIGNATURE
1	ROBERTO NOYA	PRESIDENT (MACTODA)	
2	Dominic Jr. Debes Santos	Vice Pres. / Mactoda	
3	ELUMINADA O. RUBA	PB (BATUG)	
4	Edmundo C. Montes	PB Linauway	
5	Josaf m. Carroa	P.B. Pangasinan	
6	OSCAR L. CONOR	P.B. CACWAGAN	
7	MARVIN C. FETA	P.P.O. Des.	
8	JARED Jr. MILAR	P.TS DANAO	

Republic of the Philippines
Province of Leyte
Municipality of MacArthur

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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 77TH REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF MacARTHUR, LEYTE HELD ON
01 SEPTEMBER 2003 AT THE MUNICIPAL SESSION HALL.

PRESENT: Hon. Letecia T. Beriso Vice-Mayor/Presiding
Hon. Pacifico G. Matol, Jr. SB Member/Floor Leader
Hon. Rudin T. Babante SB Member
Hon. Alfredo U. Oribe SB Member
Hon. Roehl B. Matoza SB Member
Hon. Miguel C. Tonido SB Member
Hon. Tito G. Lariba SB Member
Hon. Leonides C. Ruba SB Member/ABC President

ABSENT: Hon. Xandrix P. Pantin SB Member
Hon. Christine E. Leria SB Member/SKF President (OB)

RESOLUTION NO. 2003-

**A RESOLUTION ADOPTING MUNICIPAL ORDINANCE NO. 01,
SERIES OF 2003, ENTITLED, THE MUNICIPAL FIRE CODE OF MacARTHUR,
LEYTE."**

WHEREAS, death and injury to persons and loss and damage to property by fire have reached alarming proportion that the economic and social gains of the society are being continually undermined;

WHEREAS, in order to effect a meaningful reduction of the alarming fire losses, there is a need to develop national consciousness and involvement of all persons in the prevention and suppression of fires;

WHEREAS, fire prevention and suppression require the adoption of fire safety standards, the incorporation of fire safety construction and provision of protective and safety devices in buildings and structures;

WHEREAS, in order to effectively implement all efforts to minimize the occurrence of fires and their destructive effects, full financial, equipment and personnel support by the national and local government and the private sector is necessary;

NOW, THEREFORE, on motion of the Honorable Tito G. Lariba, duly seconded by the Honorable Leonides C. Ruba, be it

RESOLVED, to adopt, as it hereby adopts, Municipal Ordinance No. 01, series of 2003, stated as follows:

MUNICIPAL ORDINANCE NO. 01
Series of 2003

SECTION 1. Title. – This ordinance shall be known as the "Municipal Fire Code of MacArthur, Leyte."

SECTION 2. Definition of Terms. – As used in this Fire Code, the following words and phrases shall mean and be construed as indicated:

Abatement – Any act that would remove or neutralize a fire hazard.

Administrator – Any person who acts as agent of the owner and manages the use of a building for him.

Blasting agent – Any material or mixture consisting of a fuel and oxidizer used to set off explosives.

Cellulose Nitrate or Nitro Cellulose – A highly combustible and explosive compound produced by the reaction of nitric acid with a cellulose material.

Cellulose Nitrate Plastic (Pyroxylin) – Any plastic substance, materials or compound having cellulose nitrate (nitro cellulose) as base.

Combustible, Flammable or Inflammable – Descriptive of materials that are easily set on fire.

Combustible Fiber – Any readily ignitable and free burning fiber such as cotton, oakum, rugs, waste cloth, waste paper, kapok, hay, straw, Spanish moss, excelsior and other similar materials commonly used in commerce.

Combustible Liquid – Any liquid having a flash point at or above 37.8O_c (100oF).

Corrosive Liquid – Any liquid which causes fire when in contact with organic matter or with certain chemicals.

Curtain Board – A vertical panel of non-combustible or fire resistive materials attached to and extending below the bottom chord of the roof trusses, to divide the underside of the roof into separate compartments so that heat and smoke will be directed upwards to a roof vent.

Cyrogenic – Descriptive of any material which by its nature or as a result of its reaction with other elements produces a rapid drop in temperature of the immediate surroundings.

Damper – A normally open device installed inside an air duct system which automatically closes to restrict the passage of smoke fire.

Distillation – The process of first raising the temperature to separate the more volatile from the less volatile parts and then cooling and condensing the result vapor so as to produce a nearly purified substance.

Duct System – A continuous passageway for the transmission of air.

Dust – A finely powdered substance, which, when mixed with air in the proper proportion and ignited will cause an explosion.

Electrical Arc – An extremely hot luminous bridge formed by the passage of an electric current across a space between two conductors or terminals due to the incandescence of the conducting vapor.

Ember – A hot piece or lump that remains after a material has partially burned, and is still oxidizing without the manifestation of flames.

Finishes – Materials used as final coating of a surface for ornamental or protective purposes.

Fire – The active principle of burning, characterized by the heat and light of combustion.

Fire Trap – A building unsafe in case of fire because it will burn easily or because it lacks adequate exits or fire escapes.

Fire Alarm – Any visual or audible signal produced by a device or system to warn the occupants of the building or fire fighting elements of the presence or danger of fire to enable them to undertake immediate action to save life and property and suppress the fire.

Fire Door – A fire resistive door prescribed for openings in fire separation walls or partitions.

Fire Hazard – Any condition or act which increases or may cause an increase in the probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operations and the safeguarding of life and property.

Fire Lane – The portion of a roadway or public-way that should be kept opened and unobstructed at all times for the expedient operations of fire fighting units.

Fire Protective and Fire Safety Device – Any device intended for the protection of buildings or persons to include but not limited to built-in protection system such as sprinkles and other automatic extinguishing system, detectors for heat, smoke and combustion products and other warning system components, personal protective equipment such as fire blankets, helmets, fire suits, gloves and other garments that may be out on or worn by persons to protect themselves during fire.

Fire Safety Constructions – Refers to design and installation of walls, barriers, windows, vents, means of egress, etc. integral to and incorporated into building or structure in order to minimize danger to life from fire, smoke, fumes or panic before the building is evacuated. These features are also designed to achieve, among others, safe and rapid evacuation of people through means of egress sealed from smoke or fire, the confinement of fire or smoke in the room or floor or origin and delay their spread to other parts of the building by means of smoke-sealed and fire resistant doors, walls and floors. It shall also mean to include the treatment of building components or contents with flame retardant chemicals.

Flash Point – The minimum temperature at which any materials gives off vapor in sufficient concentration to form an ignitable mixture with air.

Forging – A process where a piece of metal is heated prior to changing its shape or dimensions.

Fulminate – A kind of stable explosive compound which explodes by percussion.

Hazardous Operation/Process – Any act of manufacturing, fabrication, conversion, etc., that uses or produces materials which are likely to cause fires or explosions.

Horizontal Exit – Passageway from one building to another or through or around a wall in approximately the same floor level.

Hose Box – A box or cabinet where fire hoses, valves and other equipment are stored and arranged for fire fighting.

Hose Reel – A cylindrical device turning on an axis around which a fire hose is wound and connected.

Hypergolic Fuel – A rocket or liquid propellant which consist of combinations of fuels and oxidizers which ignite spontaneously on contact with each other.

Industrial Baking and Drying – The industrial process of subjecting materials to heat for the purpose of removing solvents or moisture from the same, and/or to fuse certain chemical salts to form a uniform glazing on the surface of materials being treated.

Jumper – A piece of metal or an electrical conductor used to bypass a safety device in an electrical system.

Occupancy – The purpose for which a building or portion thereof is used or intended to be used.

Occupant – Any person actually occupying and using a building or portions thereof by virtue of a lease contract with the owner or administrator or by permission or sufferance of the latter.

Organic Peroxide – A strong oxidizing organic compound which releases oxygen readily. It causes fire when in contact with combustible materials especially under conditions of high temperature.

Overloading – The use of one or more electrical appliances or devices which draw or consume electrical current beyond the designed capacity of the existing electrical system.

Owner – The person who holds the legal right of possession or title to a building or real property.

Oxidizing Material – A material that readily yields oxygen in quantities sufficient to stimulate or support combustion.

Pressurized or Forced Draft Burning Equipment – Type of burner where the fuel is subjected to pressure prior to discharge into combustion chamber and/or which includes fans or other provisions for the introduction of air at above normal atmospheric pressure into the same combustion chamber.

Public Assembly Building – Any building or structure where fifty (50) or more people congregate, gather or assemble for any purpose.

Public Way – Any street, alley or other strip of land unobstructed from the ground to the sky, deeded, dedicated or otherwise permanently appropriated for public use.

Pyrophoric – Descriptive of any substance that ignites spontaneously when exposed to air.

Refining – A process where impurities and/or deleterious materials are removed from a mixture in order to produce a pure element or compound. It shall also refer to partial distillation and electrolysis.

Self-Closing Doors – Automatic closing doors that are designed to confine smoke and heat and delay the spread of fire.

Smelting – Melting or fusing of metallic ores or compounds so as to separate impurities from pure metals.

Sprinkler System – An integrated network of hydraulically designed piping installed in a building, structure or area with outlets arranged in a systematic pattern which automatically discharges water when activated by heat or combustion products from a fire.

Standpipe System – A system of vertical pipes in a building to which fire hoses can be attached on each floor, including a system by which water is made available to the outlets as needed.

Vestibule – A passage hall or antechamber between the outer doors and the interior parts of a house or building.

Vertical Shaft – An enclosed vertical space of passage that extends from floor to floor, as well as from the base to the top of the building.

SECTION 3. Applicability of the Code. – The provisions of the Municipal Fire Code shall apply to all persons and all private and public buildings, facilities or structures erected or constructed before and after its effectivity.

SECTION 4. Grace Period. – The owner, administrator or occupant of building or structures existing at the time of the effectivity of the Municipal Fire Code is given two (2) years to comply with the provisions thereof on fire safety constructions and on protective and warning systems. However, the Chief of Police of the municipality may prescribe a shorter period depending upon the degree of hazard to be corrected and the cost and extent of the work to be done.

SECTION 5. Responsibility for the Enforcement of this Code. – The Bureau of Fire Protection, under the direct supervision and control of the Chief of Police of the municipality shall be responsible for the enforcement of this Code, as well as the pertinent provisions of other laws pertaining to fire protection or fire safety. With the approval of the Local Chief Executive, the Chief of Police of the municipality is hereby authorized to:

- a. Issue implementing the Fire Service of the regulations, and prescribe administrative penalties therefore;
- b. Reorganize the Fire Service of the PNP as may be necessary and appropriate;
- c. Enter into the term agreement, either through public bidding or negotiations to include advance payments therefore, for the acquisition of fire prevention, fire protection, and fire fighting equipment, supplies and materials and related technical services, necessary for the Fire Service; and
- d. Enter into Memoranda of Agreement with other departments, bureaus, agencies, offices and corporations of the government, as well as private institutions, in order to define areas of cooperation and coordination and delineate responsibility on fire prevention education, fire safety, fire prevention, fire suppression and other matters of common concern.

SECTION 6. Inspections, Safety Measures, Fire Safety, Constructions, and Protective and/or Warning System. – Owners, administrators or occupants of buildings, structures and their premises or facilities and other responsible persons shall be required to comply with the following, as may be appropriate:

- a. *Inspection Requirement* – A fire safety inspection shall be conducted by the Chief of Police of Macarthur or his duly authorized representative as a pre-requisite to the grants of permits and/or licenses by local governments and other government agencies concerned for the:

- (1) Use or occupancy of buildings, structures, facilities or their premises including the installation of fire protection and fire safety equipment, and electrical system in any building structure or facility;
- (2) Storage, handling and/or use of explosives or of combustible, flammable, toxic and other hazardous materials;

b. *Safety Measures for Hazardous Materials* – Fire safety measures shall be required for the manufacturing, storage, handling and/or use of hazardous materials involving:

- (1) Cellulose nitrate plastic of any kind;
- (2) Combustible fibers;
- (3) Cellular materials such as foam rubber, sponge rubber and plastic foam;
- (4) Flammable and combustible liquids or gases of any classification;
- (5) Flammable paints, varnishes, stains and organic coatings;
- (6) High-piled or widely combustible stock;
- (7) Metallic magnesium in any form;
- (8) Corrosive liquids, oxidizing materials, organic peroxide, nitromethane, ammonium nitrate, or any amount of highly toxic, pyrophoric, hypergolic, or cryogenic materials or poisonous gases as well as material compounds which when exposed to heat or flame become a fire conductor, or generate excessive smoke or toxic gases;
- (9) Blasting agents, explosives and special industrial explosive materials, blasting caps, black powder, liquid nitro glycerine, dynamite, nitro cellulose, fulminates of any kind, and plastic explosives containing ammonium salt or chlorate;
- (10) Firework materials of any kind of form;
- (11) Matches in commercial quantities;
- (12) Hot ashes, live coals and embers;
- (13) Mineral, vegetable or animal oils and other derivatives/by-products;
- (14) Combustible waste materials for recycling or resale;
- (15) Explosive dusts and vapors; and
- (16) Agricultural, forest, marine products which may undergo spontaneous combustion.

c. *Safety Measures for Hazardous Operation/Processes* – Fire safety measures shall be required for the following hazardous operations/processes:

- (1) Welding or soldering;
- (2) Industrial banking and drying;
- (3) Waste disposal;
- (4) Pressurized/forced-draft burning equipment;
- (5) Smelting and forging;
- (6) Motion picture projection using electrical arc lamps;
- (7) Refining, distillation and solvent extraction; and
- (8) Such other operations or processes as may hereafter be prescribed in the Rules and Regulations.

d. *Provisions on Fire Safety Construction, Protective and Warning System* – Owners, occupants or administrators of buildings, structures and their premises or facilities, except such other buildings or structures as may be exempted in the rules and regulations to be promulgated under Section 6 hereof, shall incorporate and provide therein fire safety construction, protective and warning system, and shall develop and implement fire safety programs, to wit:

- (1) Fire protection features such as sprinklers systems, hose boxes, hose reels or standpipe systems and other fire fighting equipment;

- l. Removing, destroying, tampering or obliterating any unauthorized mark, seal, sign or tag posted by the Fire Service for fire safety in any building, structure or processing equipment; and
- m. Use of jumpers or tampering with electrical wiring or overloading the electrical system beyond its designed capacity or such other practices that would tend to undermine the fire safety features of the electrical system.

SECTION 8. Abatement of Fire Hazard. – Fire hazards shall be abated immediately. For this purpose, the Chief of Police of the municipality or his authorized representative may issue orders for such abatement. If the owner, administrator or occupant of buildings, structures and their premises or facilities does not abate the same within the period fixed in said order, the occupancy permit or permit to operate shall be cancelled. Any building or structure declared as a fire trap or is causing clear and present danger to adjoining establishments and habitation shall be declared a public nuisance, as defined in the Civil Code of the Philippines. If the assessed value of the building or structure is not more than Twenty Thousand (P20,000.00) pesos, the owner, administrator or occupant thereof shall abate the hazard within thirty (30) days or if the assessed value is more than Twenty Thousand (P20,000.00) pesos, within sixty (60) days from receipt of the order declaring said building or structure as a nuisance; otherwise the Chief of Police of the municipality, or his duly authorized representative shall forthwith cause its summary abatement. Summary abatement as used herein shall mean all corrective measures undertaken to abate hazards which shall include but is not limited to remodeling, repairing, strengthening, reconstructing, removal and demolition, either partial or total of the building or structure. The expense incurred by the government for such summary abatement shall be borne by the owner, administrator or occupant. These expenses shall constitute a prior lien upon such property.

SECTION 9. Enforcement of the Lien. – If the owner, administrator or occupant fails to reimburse the government of the expenses incurred in the summary abatement within ninety (90) days from the completion of such abatement, the building or structure shall be sold at public auction in accordance with existing laws and rules. No property subject of lien under Section 8 hereof, may be sold at a price lower than the abatement expenses incurred by the government. The property shall be forfeited in favor of the government if the highest bid is not at least equal to the abatement expenses.

SECTION 10. Penalties. –

- a. *Administrative Fine* – Any person who violates any provision of this Fire Code or any rules and regulations promulgated under Section 5 hereof shall be penalized by an administrative fine of not exceeding Two Five Thousand (P2,500.00) pesos or in the proper case by stoppage of operation or by closure of such buildings, structures and their premises or facilities which do not comply with the requirements or by both such administrative fine and closure/stoppage of operation to be imposed by Chief of Police of the municipality, Provided, That payment of the fine, stoppage of operations and/or closure of such buildings, structures, and their premises or facilities shall not absolve the violator from correcting the deficiency abating the fire hazard. The decision of the Chief of Police of the municipality, under this subsection, may be appealed to the Local Chief Executive within fifteen (15) days from the date of receipt of the order imposing the administrative fine, stopping the operations and/or closure. The decision of the Local Chief Executive shall be final and executory.
- b. *Punitive* – In case of willful failure to correct the deficiency or abate the fire hazard as provided in the preceding subsection, the violator shall, upon conviction be punished by imprisonment of not less than one (1) month or not more than six (6) months or by a fine of not more than Two Thousand Five Hundred (P2,500.00) pesos or both such fine and imprisonment. Provided, however, that in the case of

a corporation, firm, partnership or association, the fine and/or imprisonment shall be imposed upon its officials responsible for such violation, and in case the guilty is an alien in addition to the penalties herein prescribed, he shall be immediately deported; Provided, finally, that where the violation is attended by loss of life and/or damage or property, the violator shall be proceeded against under the applicable provisions of the Revised Penal Code.

SECTION 11. Taxes and Fees. – The following taxes and fees which shall accrue to the General Fund of the Local Government, are hereby imposed:

- (1) Fees to be charged for the issuance of certificates, permits and licenses as provided for in Section 6 (a) hereof;
- (2) One-tenth of one per centum (0.1%) of the verified estimated value of building or structures to be erected, from the owner thereof, but not to exceed Fifty Thousand (P50,000.00) pesos one half to be paid prior to the issuance of building permit, and the balance, after final inspection and prior to the issuance of the used and occupancy permit;
- (3) One-hundredth of one per centum (0.01) of the assessed value of building or structures annually payable upon payment of the real estate tax, except on structures used as single family dwellings;
- (4) Two per centum (2%) of all premiums excluding re-insurance premiums for the sale of fire, earthquake and explosion hazard insurance collected by companies, persons or agents licensed to sell such insurances in the Philippines;
- (5) Two per centum (2%) of gross sales of companies, persons or agents selling fire fighting equipment, appliances or devices including hazard detection and warning systems; and
- (6) Two per centum (2%) of the service fees received from fire, earthquake, and explosion hazard pre-insurance surveys and post loss service of insurance adjustment companies doing business in the Philippines directly or through agents.

SECTION 12. Collection of Taxes, Fees, and Fines. – All taxes, fees and fines provided shall be collected by the Municipal Treasurer.

SECTION 13. Separability Clause. – If any provision of this Code or the application of such provisions to any person or circumstances is declared unconstitutional, the remainder of the Code or the application of such provision to other persons or circumstances shall not be affected by such declaration.

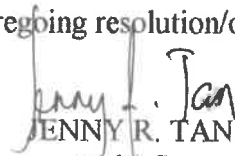
SECTION 14. Repealing Clause. – Provisions of Presidential decree No. 442, otherwise known as the Labor Code of the Philippines, as amended and Presidential Decree No. 1096, otherwise known as the National Building Code and other laws, decrees, orders or regulations in conflict or inconsistent with the provisions of this Fire Code are hereby repealed or modified accordingly.

SECTION 15. Effectivity. – This Fire Code shall take effect thirty (30) days after its approval.

ENACTED: 01 September 2003.

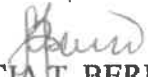
APPROVED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution/ordinance.



JENNY R. TAN
Secretary to the Sanggunian

ATTESTED:



LETECIA T. BERISO
Municipal Vice-Mayor

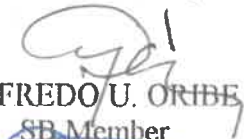
ATTENDING SB MEMBERS:



PACIFICO G. MATOL, JR.
SB Member



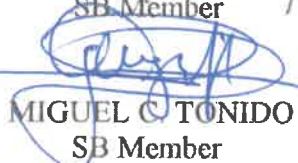
RUDIN T. BABANTE
SB Member



ALFREDO U. ORIBE
SB Member




ROEL B. MATOSA
SB Member



MIGUEL C. TONIDO
SB Member



TITO G. LARIBA
SB Member



LEONIDES C. RUBA
ABC President

APPROVED:



LEONARDO B. LERIA
Municipal Mayor

~~~~~nothing follows~~~~~