



Republic of the Philippines
CITY GOVERNMENT OF ALAMINOS
 San Jose Drive, Poblacion, City of Alaminos, Pangasinan

EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON MARCH 12, 2024

PRESENT:

- | | |
|---|-----------------------------------|
| Vice Mayor Jan Marianne R. Fontelera | - Presiding Officer |
| Councilor Arthur C. Celeste, Jr. | - Presiding Officer Pro-Tempore |
| Councilor Carolyn D. Sison | - Majority Floor Leader |
| Councilor Kelvin Theus O. Humilde | - Minority Floor Leader |
| Councilor Verna S. D. Rabago | - Assistant Majority Floor Leader |
| Councilor Apple Joy B. Tolentino | - Member |
| Councilor Joselito O. Fontelera | - Member |
| Councilor Raul B. Bacay | - Member |
| Councilor Dahlia M. de Leon | - Member |
| Councilor Oscar A. Boling, Sr. | - Member |
| Councilor Froebel A. Ranoy | - Member |
| LBP Alex A. Recosana | - Ex-Officio Member |
| PPSKP Lovely V. Bernabe | - Ex-Officio Member |

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ORDINANCE NO. 2024-05

AN ORDINANCE GOVERNING THE USE, SALE AND DISTRIBUTION OF FIRECRACKERS AND PYROTECHNIC DEVICES IN THE CITY OF ALAMINOS, PANGASINAN

Sponsor:

Councilor Verna S. D. Rabago

WHEREAS, Republic Act No. 7183, otherwise known as "An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices" and its Revised Implementing Rules and Regulations provides for the regulation and control of firecrackers and pyrotechnic devices, consistent with, and in furtherance of, public safety, order and national security, as well as the enhancement of the cultural traditions;

WHEREAS, Executive Order No. 28, series of 2017, limits the use of firecrackers only to community fireworks displays that have been granted permit from the concerned city or municipality, among other requirements;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," provides that local governments shall exercise

(Handwritten signatures of councilors and officials)





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the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for efficient and effective governance and those which are essential to the promotion of the general welfare;

NOW, THEREFORE, on motion of Councilor Verna S. D. Rabago, duly seconded by all members present

BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG PANLUNGSOD IN SESSION DULY ASSEMBLED, THAT:

SECTION 1. TITLE. — This Ordinance shall be known as the **“Firecrackers and Pyrotechnic Devices Ordinance”** of the City of Alaminos, Pangasinan.

SECTION 2. PURPOSE. — It is the purpose of this Ordinance to regulate and control the use of firecrackers and pyrotechnic devices

1. To minimize the risk of injuries and casualties;
2. To protect the environment;
3. In furtherance of public safety and security; and
4. For enhancement of cultural traditions in the city.

SECTION 3. COVERAGE. — This Ordinance shall apply to all persons or entities, whether public or private, engaged in the use or trade of firecrackers and pyrotechnic devices within the territorial jurisdiction of Alaminos City.

SECTION 4. DEFINITION OF TERMS. —

- A. Community Fireworks Display** - refers to the use of firecrackers and pyrotechnic devices contained in the designated Fireworks Zone, and conducted on the occasion or as part of a celebration, competition or similar events, authorized by the City of Alaminos through a permit duly issued by the Philippine National Police/Alaminos City Police Station and in close coordination with the Bureau of Fire Protection (BFP) and Public Order and Safety Office (POSO) of the city, specifying the date and time of fireworks display and the specific area in which the display will be conducted, in conformity with national standards, rules, and regulations.
- B. Fireworks** - refers to firecrackers and pyrotechnic devices.
- C. Firework Zones** - refers to the city’s designated area/zone where the Community Fireworks Display can be suitably conducted.
- D. Firecrackers** - refer to loud, explosive devices wrapped in paper or cardboard casing containing an explosive compound and usually lit with a fuse, primarily designed to produce a sound usually in the form of a loud bang, and any visual effect thereto is merely incidental to the nature of its effect and purpose, including but not limited to baby rocket, *bawang* and small *triangulo*.

(Handwritten signatures and initials)



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E. Pyrotechnic Devices - refer to fireworks which utilize visuals, such as colored lights, flames, smoke, sparks, flashes, etc, as primary effects, and any sound effect thereto is merely incidental to the nature of their effects and purpose, including but not limited to sparklers, luces and fountain.

SECTION 5. BAN ON INDIVIDUAL, PERSONAL OR HOUSEHOLD USE OF FIRECRACKERS. —

- A. The individual, personal or household use of firecrackers of any kind shall be banned. Firecrackers shall be allowed only within Community Fireworks Displays as defined above.
- B. Pursuant to Executive Order No. 28 s. 2017, this firecracker ban shall not cover pyrotechnic devices, which may be used within or outside Community Fireworks Displays, subject to applicable laws and regulations.

SECTION 6. DESIGNATED FIREWORKS ZONES. —

- A. The following areas in the city are hereby designated as City Fireworks Zone where Community Fireworks Displays may be conducted:
 1. By-Pass Road (Palamis)
 2. Sabaro
 3. Lucap Wharf

The Sangguniang Barangays of each of the barangays in the city are hereby mandated to designate a Community Fireworks Display Zone within their territorial jurisdiction according to the criteria set forth under paragraph B of this ordinance.

The Alaminos City Police Station and the Bureau of Fire Protection in the city shall assist the Sangguniang Barangays in the proper determination of Community Fireworks Display Zone in each barangay.

- B. The following criteria shall be considered for determining designated Community Fireworks Display Zones:
 1. Population within the area;
 2. Availability of emergency medical staff or first aid responders and necessary tools and equipment;
 3. Availability of firefighting equipment;
 4. Safe distance of more than 100 feet (30 meters) away from residential areas; and
 5. Such other factors which may be relevant to the safety of residents in the area.

SECTION 7. PERMIT FOR COMMUNITY FIREWORKS DISPLAYS. — Application for permit/s to conduct Community Fireworks Display may be filed by a business establishment, homeowners' association, or other recognized community organization, with the PNP of the City Alaminos, indicating the specific date and time of the activity, and the type of fireworks to be used. The PNP may grant the permit

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subject to compliance with applicable laws and regulations, including but not limited to the following safety standards:

1. Fireworks must be fired at a distance at least 100 feet (30 meters) away from persons.
2. All fireworks shall project skywards.
3. A responsible person with sufficient fireworks handling and safety knowledge shall supervise the fireworks display.
4. First aid and fire protection equipment (at the minimum, a fire extinguisher and a large drum filled with water) shall be on hand during the display.
5. The nearest fire station shall be notified at least 24 hours prior to the start of the event.

SECTION 8. FIREWORKS DEALERS. — Aside from the usual business permits, fireworks dealers must obtain a clearance from the Alaminos City Police Station, presenting the applicable PNP license. The PNP may grant the clearance subject to compliance with applicable laws and regulations, including but not limited to the following safety standards:

1. Each stall must have a minimum of one (1) fire extinguisher and one (1) large drum filled with water.
2. No smoking within 15 meters of any fireworks.
3. No stoves, heaters, exposed flames, or other fire hazards within 15 meters of any fireworks.
4. No testing of any fireworks.
5. No sales to minors.
6. No storage or retail displays of the actual/physical fireworks inside malls or similar establishments.
7. No sales of any fireworks totally banned by the PNP as mentioned immediately below.

SECTION 9. ABSOLUTE PROHIBITIONS. —

- A. From time to time, pursuant to Republic Act No. 7183 and its Revised Implementing Rules and Regulations (IRR), the PNP issues a list of totally banned fireworks that may not be used under any circumstances, whether inside or outside Community Fireworks Displays, including but not limited to Super Lolo, Lolo Thunder, Atomic Bomb, Watusi, oversized or overweight firecrackers, and firecrackers with a fuse that burns in less than three (3) seconds or more than six (6) seconds. Such list of totally banned fireworks shall be deemed automatically integrated into this Ordinance, and the distribution, sale, or use of such totally banned fireworks shall constitute a violation punishable under this Ordinance.
- B. No fireworks of any kind may be sold to or used by minors.



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SECTION 10. SURVEILLANCE AND REPORTING. —

- A. All fireworks-related injuries shall be reported, if any, to the City Health Office (CHO), which in turn shall submit a regular weekly report, if any, to the Department of Health (DOH) in accordance with the 2020 Revised IRR of RA No. 11332, entitled "Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act."
- B. All cases of firecrackers and pyrotechnic devices-related injuries, if any, in the City of Alaminos shall be consolidated and reported monthly by the City Health Office to the Department of Health through the Online National Electronic Injury Surveillance System, in accordance with Rule 6 of the 2017 Implementing Rules and Regulations Governing the Administration and Enforcement of Executive Order No. 28, series of 2017.

SECTION 11. The Alaminos City Police Station, the Bureau of Fire Protection-Alaminos City, the Public Order and Safety Office and the Sangguniang Barangays shall conduct the necessary Information, Education and Communication (IEC) campaign on the provisions of this Ordinance.

SECTION 12. PENALTIES. — Any person, found by a court of competent jurisdiction, violating any provision of this Ordinance shall be penalized with imprisonment of not more than six (6) months and/or a fine of not more than Two Thousand Five Hundred Pesos (P2,500.00) at the discretion of the court.

Business establishments that violate this Ordinance shall be subject to summary revocation of their business permit.

SECTION 13. NO CONTEST PROVISION. — Any person apprehended for violation of this Ordinance, who does not wish to contest the violation and is willing to pay voluntarily the fine imposed upon him/her prior to the filing of formal complaint with the Office of the City Prosecutor, shall be allowed to pay said fine to the Office of the City Treasurer to avoid prosecution.

SECTION 14. SEPARABILITY CLAUSE. — If any provision/s or part/s of this Ordinance is declared unconstitutional or invalid, the provisions thereof not affected by such declarations shall remain in full force and effect.

SECTION 15. REPEALING CLAUSE. — All ordinances, resolutions, issuances, or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 16. EFFECTIVITY. — This Ordinance shall take effect upon compliance with the statutory requirements in enacting an ordinance.

SO ORDAINED/ENACTED....

[Handwritten signatures of officials]



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I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting of six (6) pages including this page.


LUZ B. VALE
 Secretary

ATTESTED: 
JAN MARIONNE R. FONTELERA
 City Vice Mayor/Presiding Officer


 **ARTHUR C. CELESTE, JR.**  **CAROLYN D. SISON**
 Presiding Officer Pro-Tempore Majority Floor Leader


KELVIN THEUS O. HUMILDE
 Minority Floor Leader

 **VERNA S. D. RABAGO**  **APPLE JOY B. TOLENTINO**
 Assistant Majority Floor Leader Member


JOSELITO O. FONTELERA
 Member


 **RAUL B. BACAY**  **DAHLIA M. DE LEON**
 Member Member


OSCAR A. BOLING, SR.
 Member

 **FROEBEL A. RANOY**  **ALEX A. RECOSANA, LBP**
 Member Ex-Officio Member


LOVERLY V. BERNABE, PPSKP
 Ex-Officio Member

APPROVED BY:


ARTH BRYAN C. CELESTE
 City Mayor
 04/16/2024
 Date