



QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-195

42nd Regular Session

ORDINANCE NO. SP- 2618, S-2017

AN ORDINANCE IMPOSING A TOTAL BAN ON THE USE OR PLAY OF FIRECRACKERS AND PYROTECHNIC DEVICES IN ALL PUBLIC PLACES OF QUEZON CITY DURING FESTIVITY OR FOR ANY OCCASION, AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilor RANULFO Z. LUDOVICA.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Estrella C. Valmocina, Gian Carlo G. Sotto, Kate Abigael G. Coseteng, Jose Mario Don S. De Leon, Franz S. Pumaren, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Marra C. Suntay, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Ricardo B. Corpuz.

WHEREAS, the use or play of firecrackers and pyrotechnic devices is one of the traditional ways of holding Holiday revelries such as Christmas and New Year's Eve, family rejoicing, and other kinds of momentous festivities;

WHEREAS, in doing so, it has been the practice of the celebrators and merrymakers to use their streets, alleys, open spaces and other public places for firecrackers explosion, fireworks display, and similar activities without regard to the hazard that it may cause to the public; ✓

WHEREAS, taking advantage of the increasing demand for the use or play of firecrackers and pyrotechnics, there are unscrupulous traders who, in the desire to earn easy money, are selling in bulk substandard items even in sidewalks to the detriment of the public;

WHEREAS, it can be gleaned from the newspapers and television reports that after the revelries, with the use of firecrackers and pyrotechnic devices, there is always an occurrence of injuries, deaths, and damage to properties;

WHEREAS, the pathetic victims of these unmindful activities are usually the innocent passersby and homebodies who, by accident or negligence of others, succumbed to death or losses part/s of their bodies;

WHEREAS, these activities also contributed to the worsening health condition of those with respiratory ailment or weak immune system due to the stenchy smoke that they inhale;

WHEREAS, to prevent untimely deaths, injuries and damage to properties, and as a matter of public safety, there is an imperative need to prohibit the use or play of firecrackers and pyrotechnic devices in all public places of Quezon City;

WHEREAS, in the exercise of its police power, the City Council, as the local legislative body, may enact legislative measures or prescribe regulations to protect public health, uphold morals, and ensure public order and safety;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, explicitly provides that "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. x-x-x". A . 5 6

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN REGULAR SESSION ASSEMBLED:

SECTION 1. It shall be unlawful for any person to use or play firecrackers or pyrotechnic devices in all public places of Quezon City during festivity or for any occasion, unless a clearance is obtained from the Department of Public Order and Safety.

For this purpose, "public place" refers to street, road, alley, thoroughfare, open space, plaza, parks, basketball courts and other similar places.

SECTION 2. It shall be the duty of the Punong Barangays of Quezon City to strictly enforce the provisions of this Ordinance within their respective territorial jurisdiction. The Department of Public Order and Safety (DPOS) and the Quezon City Police District (QCPD) shall extend assistance for this purpose.

SECTION 3. Within thirty (30) days from the effectivity of this Ordinance, the Department of Public Order and Safety, in consultation with the Liga ng mga Barangay, shall promulgate the necessary rules and regulations for its effective implementation.

SECTION 4. Any person found to be violating the provisions of this Ordinance shall be penalized by a fine of Five Thousand Pesos (Php5,000.00) or an imprisonment of one (1) year, or both such fine and imprisonment at the discretion of the court.

SECTION 5. If any provision of this Ordinance is declared invalid or unconstitutional, the provisions thereof not affected by such declarations shall remain in full force and effect.

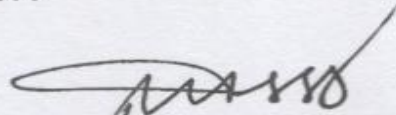
SECTION 6. All ordinances, resolutions, local executive orders or administrative issuances or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly. A

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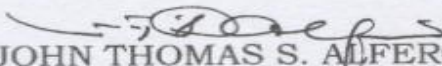
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SECTION 7. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

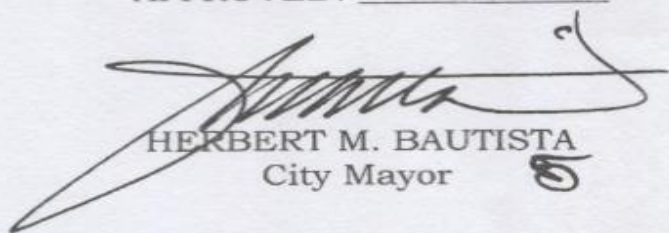
ENACTED: September 11, 2017.


RODERICK M. PAULATE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

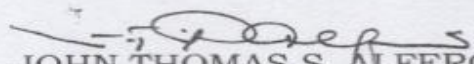

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 13 OCT 2017


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on September 11, 2017 and was PASSED on Third/Final Reading on September 25, 2017.


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

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