



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-237

70th Regular Session

ORDINANCE NO. SP- **3328**, S-2024

AN ORDINANCE PROHIBITING SMOKING AND THE USE OF VAPOR PRODUCT DEVICES AND E-CIGARETTES IN ALL CITY-OWNED PARKS WITHIN QUEZON CITY AND PROVIDING PENALTIES THEREFOR

Introduced by Councilors DON S. DE LEON, DOROTHY A. DELARMENTE, M.D., TATAY RANNIE Z. LUDOVICA and VITO SOTTO GENEROSO

Co-Introduced by Councilors Tany Joe "TJ" L. Calalay, Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Wencerom Benedict C. Lagumbay, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Victor "Vic" Bernardo, Jose Maria M. Rodriguez and Jhon Angelli "Sami" C. Neri

WHEREAS, the Metropolitan Manila Development Authority (MMDA) has recently commended the Sangguniang Kabataan and Metro Manila Local Government Units (LGUs) for declaring facilities under the Adopt-A-Park program as "Smoke and Vape-Free areas";

WHEREAS, public parks are usually frequented by the youth;

WHEREAS, public parks must be conducive for activities that would strengthen our children's bodies and protect them against any form of danger, especially health hazards;

WHEREAS, the MMDA and LGUs have agreed to utilize the parks under the Adopt-A-Park program not only for leisure and relaxation, but for helping combat climate change and air pollution as well;

WHEREAS, around 87,000 Filipinos die every year from tobacco-related diseases, according to the Union Against Tuberculosis and Lung Disease;

WHEREAS, in May 2022, the Lung Center of the Philippines said that 321 people die daily from tobacco-related diseases;

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WHEREAS, Ordinance No. SP-2737, Series of 2018 regulates vaping and the use of e-cigarettes by allowing designated vaping and/or smoking areas;

WHEREAS, the purpose of this Ordinance is to totally ban smoking and the use of vape devices and e-cigarettes in all the public parks in Quezon City.

NOW, THEREFORE,

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

SECTION 1. TITLE. – An Ordinance Prohibiting Smoking and the Use of Vapor Product Devices and E-Cigarettes in all City-Owned Parks Within Quezon City and Providing Penalties Therefor.

SECTION 2. DEFINITION OF TERMS. – For the purpose of this Ordinance, the following terms shall be defined as:

- a. Vapor Product Device – more popularly known as Vape, refers to a device or a combination of devices used to heat a vapor product to produce an aerosol, mist or vapor that users inhale. This may include combinations of a liquid solution or gel that are heated and transformed into an aerosol without combustion through the employment of a mechanical or electrical heating element, battery or circuit, and may also include but is not limited to, a cartridge, a tank, or a device without a cartridge or tank;
- b. E-Cigarette – refers to any product that generates a nicotine containing aerosol without combustion, with or without electronics or tobacco, or any component of that product; this includes but not limited to a cartridge, a tank and the device without a cartridge or tank;
- c. Park – refers to City-owned parks and playgrounds that are under the overall control and supervision of the local government of Quezon City; and
- d. Smoking – refers to the act of carrying a lighted cigarette or other tobacco products, whether or not it is being inhaled or smoked.

SECTION 3. PENALTIES. – Any person apprehended for smoking or using any Vapor Product device E-Cigarettes in public parks shall be fined Php1,000.00 or render a total of 8-hour community service.

SECTION 4. IMPLEMENTING RULES AND REGULATIONS. – Within 90 days from the effectivity of this Ordinance, the Department of Public Order and Safety (DPOS) shall promulgate the necessary rules and regulations for the implementation of this Ordinance.

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SECTION 5. REPEALING CLAUSE. – All ordinances, resolutions, executive orders, memorandum circulars, and administrative orders or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.


SECTION 6. SEPARABILITY CLAUSE. – If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

SECTION 7. EFFECTIVITY CLAUSE. – This Ordinance shall take effect after its publication in a newspaper of general circulation, and after posting of copies in conspicuous locations within Quezon City.


ENACTED: June 10, 2024.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: AUG 1 2024


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 10, 2024 and was PASSED on Third/ Final Reading under Suspended Rules on June 18, 2024.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

