



Republic of the Philippines
Province of Davao del Sur
MUNICIPALITY OF MAGSAYSAY

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14th Sangguniang Bayan
96th Regular Session
May 25, 2016



ORDINANCE NO. 04 - 2016

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Hon. ALEXANDER L. COSSID, *SB, Member/ABC Pres*

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Hon. BERNARDO M. SANGGAY, *SB Member/IPMR*

Hon. CHONA D. SENG, *SB Member*

Hon. ROBERTO B. AMBAYAN, *SB Member*

Hon. VEVENCIO C. LAGANSE, *SB Member*

Hon. RAFFIE S. REDOBLADO, *SB Member*

Hon. SILVERIO C. TORATE, *SB Member*

AN ORDINANCE PROHIBITING THE MANUFACTURE, SALE, DISTRIBUTION, POSSESSION OR USE OF FIRECRACKERS OR PYROTECHNIC DEVICES AND SUCH OTHER SIMILAR DEVICES AND THE EXPLODING OF FIRECRACKERS OR OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF MAGSAYSAY, DAVAO DEL SUR .

Be it ordained by the Sangguniang Bayan of Magsaysay, Davao del Sur in session assembled, that:

Section 1. Purpose of this Ordinance. – It is the purpose of this Ordinance to prohibit the manufacture, sale, distribution, possession and use of firecrackers or pyrotechnic devices and such other similar devices and the exploding of firecrackers and other explosives, within Magsaysay, Davao del Sur in furtherance of public safety, peace, order and security of the community.

Section 2. Prohibited Acts. – (a) It shall be unlawful for any person or business establishment to manufacture, sell or offer for sale, distribute, possess or use any firecrackers or pyrotechnic device or such other similar devices within the territory Magsaysay, Davao del Sur;

(b) It shall, likewise, be unlawful for any person to discharge or explode, or cause to discharge or to explode, any firecracker, or any other explosive or to use any pyrotechnic device or any such other similar device, at anytime and anywhere within the territory of Magsaysay, Davao del Sur

Section 3. Penalties. – Violation of any of the provisions of Section 2 of this Ordinance shall be penalized as follows:

a) For the first offense, a fine of One Thousand Pesos (P1,000.00) or imprisonment of not more than One (1) month but not less than twenty (20) days, or both fine and imprisonment, at the discretion of the Court;

b) For the second offense, a fine of Two Thousand Pesos (P2,000.00) or imprisonment of not more than Three months but not less than One (1) month, or both fine and imprisonment, at the discretion of the Court;

c) For the third offense, a fine of Two Thousand Five hundred Pesos (P2,500.00) or imprisonment of not more than Six (6) months but not less Three (3) months, or both fine and imprisonment, at the discretion of the Court.

If the violation is committed by a business establishment, the President or General Manager or the person, acting in behalf of either the President or General Manager shall be held liable in the case of a corporation or partnership, or the owner or proprietor or the person acting in his behalf shall be held responsible in the case of a single proprietorship.

In addition to the foregoing penalties, the business permit of the business establishment shall be cancelled by the Municipal Mayor upon the commission of the third offense.

Section 4. Separability Clause. – Should any of the provisions of this Ordinance be declared inoperative by the Courts for being inconsistent with the Constitution or the law, the other unaffected provisions of this Ordinance shall remain in full force and effect.

Section 5. Repealing Clause. – Any and all ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 6. – This Ordinance shall take effect after its approval.

ENACTED this 25th of May 2016 at Magsaysay, Davao del Sur, Philippines

Certified Correct:

DANILO M. OMAGTANG
Secretary to the Sangguninanan

Attested:

DONNABEL JOY P. FEROLINO - MEJIA
(Municipal Vice Mayor)
Presiding Officer

Approved:

ARTHUR D. DAVIN, CE
Municipal Mayor

Date: _____