

Republic of the Philippines  
Province of Misamis Occidental  
MUNICIPALITY OF CALAMBA  
**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE SANGGUNIANG BAYAN OF CALAMBA, MISAMIS OCCIDENTAL HELD AT THE SB SESSION HALL ON APRIL 28, 2017.

**PRESENT:**

Hon. ANTONIO N. LAWAS, SR.	Municipal Vice Mayor/Presiding
Hon. EMMANUEL M. CALE, M.D.	Sangguniang Bayan Member
Hon. REZIE C. LEONARDO	Sangguniang Bayan Member
Hon. CAIZZER KEARL J. YAP	Sangguniang Bayan Member
Hon. CARIDAD C. LANSANG	Sangguniang Bayan Member
Hon. RODRIGO T. GARCIA	Sangguniang Bayan Member
Hon. JESUS C. ENERIO	Sangguniang Bayan Member

**ABSENT:**

Hon. JOSEPH C. MALAYAO	Sangguniang Bayan Member
Hon. NATHANIEL A. NERI	Sangguniang Bayan Member
Hon. LUCIANO O. DUMANHOG	IP's Rep./Ex-Officio Member

**OFFICIAL BUSINESS:**

Hon. DANNY B. ENGOC	ABC Pres./Ex-Officio Member
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**PREFATORY STATEMENT**

**WHEREAS**, the Department of the Interior and Local Government issued Memorandum of Agreement Circular No. 2007-165, dated December 27, 2007, entitled, "Reiterating DILG MC No. 2002-188 on the Strict Implementation of Republic Act No. 7183, otherwise known as "An Act Regulating The Sale, Manufacture, Distribution and Use of Firecrackers and Other Pyrotechnic Devices;"

**WHEREAS**, Item No. 2 of the said circular states that "The local sanggunian may also pass an ordinance totally prohibiting the manufacturer, sale, distribution and use of any firecracker and pyrotechnic devices, if there is a reasonable ground to believe that radical groups may take advantage of the holiday season merriment for their lawless designs;

**WHEREAS**, Memorandum Circular 2008 - 162, dated November 3, 2008 enjoins all Local Chief Executives to cause the cancellation or revocation of business permits or licenses of business establishments found manufacturing, importing, distributing and selling any consumer product declared as injurious and dangerous to health and safety;

**WHEREAS**, every year, significant number of injuries, both severe and mild, caused by firecrackers were reported and recorded wherein most victims were minors;

**NOW, THEREFORE**, on motion of Hon. Caridad C. Lansang duly seconded by all the members present;

**RESOLVED**, as it is hereby resolved to enact this ordinance:

**ORDINANCE NO. 03-s.2017**

**AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION, SALE AND USE OF FIRECRACKERS IN THE MUNICIPALITY OF CALAMBA, MISAMIS OCCIDENTAL PROVIDING PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.**

Be it ordained by the Sangguniang Bayan of Calamba, Misamis Occidental

Section 1. **DECLARATION OF POLICY.** It is the declared policy of the Municipal Government of Calamba, Misamis Occidental to regulate the manufacture, distribution, sale and

use of firecrackers in Calamba, Misamis Occidental consistent with and in furtherance of public safety, order and security as well as enhancement of cultural tradition;

**Section 2. DEFINITION OF TERMS.** As used in this Ordinance, the following terms shall mean as:

- a) Firecracker – is a small explosive device primarily designed to produce a large amount of noise, especially in the form of a loud bang; any visual effect is incidental to this goal. They have fuses, and are wrapped in a heavy paper casing to contain the explosive compound.
- b) Fireworks – are a class of explosive pyrotechnic devices used for aesthetic, cultural, and religious purposes. Fireworks take many forms to produce the four primary effects: noise, light, smoke and floating materials (confetti for example) They may be designed to burn with flames and sparks of many colors, typically red, orange, yellow, green, blue, purple, silver and gold.

**Section 3. PROHIBITED ACTS.** It shall be unlawful to manufacture, distribute, sell, or use all firecrackers and fireworks enumerated below within the Municipality of Calamba, Misamis Occidental at any time and as enumerated under RA 7183, and all other succeeding laws:

1. Watusi. or the “Dancing firecracker” - it was initially allowed for sale and manufacture under RA 7183, but was eventually banned because it causes poisoning when ingested, especially among children.
2. Picolo - this firecracker has been the leading cause of firecracker-related injuries since 2007. The Department of Health banned it in 2007 because it can explode on the hands, and may cause death when ingested.
3. Super Lolo, Atomic Big Triangulo and their equivalent.
4. Mother Rocket - firecracker with a stick designed as a propellant upon lighting the wick.
5. Lolo Thunder – a powerful firecracker twice the size of a Five Star.
6. Pillbox – a firecracker that causes a series of sparks when lit.
7. Boga – traditional canon made from PVC pipe using denatured alcohol as explosive ingredient.
8. Big Judah’s Belt- a string of firecrackers consisting of smaller firecrackers that number up to a hundred, and culminating in a larger and more powerful firecracker.
9. Big Bawang – a firecracker packed in cardboard tied around with abaca strings, giving it the shape of a large garlic.
10. Kwiton – aerial firecracker which explodes several times when lit.
11. Goodbye Philippines – giant triangle-shaped firecracker which packs a powerful explosion.
12. Kabasi – a triangle-sized explosive twice the size of a Pla-Pla.
13. Whistle Device – any of the various kinds of firecrackers or pyrotechnic designed to either simply emit a whistle-like sound or explode afterwards upon being ignited.
14. Atomic Bomb
15. Five Star
16. Pla-Pla
17. Og
18. Giant Whistle Bomb
19. Bawang – is firecracker larger than a “Trianggulo” with a 1/3 teaspoon of powder packed in cardboard tied around with abaca strings and wrapped in shape of garlic.

20. Small Triyangulo – a firecracker shaped like a triangle with powder content less than the “Bawang” and usually wrapped in brown paper measuring  $\frac{3}{4}$  inch length in its longest side.
21. Pulling Strings – a firecracker consisting of a small tube about an inch length and less than  $\frac{1}{4}$  of an inch in diameter with strings on each end. Pulling both strings will cause the firecracker to explode.
22. El Diablo – a firecracker tubular in shape about  $1\frac{1}{4}$  inches in length and less than  $\frac{1}{4}$  inch in diameter with a wick; also known as “labintador”.
23. Judah’s Belt – a string of firecrackers consisting of either El Diablos or small “Triyangulos” that can number up to a hundred or thereabout or culminating in large firecracker usually a “bawang”.
24. Other types equivalent to the foregoing in explosive content.
25. The unlabelled firecrackers.

**Section 4. PROHIBITED TYPES OF FIRECRACKERS AND PYROTECHNIC DEVICES.** – The manufacture, sale, distribution and use of other types of firecrackers and pyrotechnic devices not mentioned in the foregoing section, or such explosive content that could endanger life and limb, such as atomic big triyangulo and super lolo and their equivalent, are hereby prohibited.

The determination of what constitutes prohibited firecracker and pyrotechnic devices shall be vested with the Director General of the Philippine National Police (PNP).

**Section 5. EXCEPTIONS.** The use of Firecrackers and Pyrotechnic Devices are allowed in this ordinance;

1. When the firecracker are used by the Municipality of Calamba, Misamis Occidental in connection with the celebration of its foundation or charter anniversary or any of its festival or celebration.
2. When the regulated firecrackers are used by any other person or entity on any traditional occasion or celebration.

**Section 6. SALE TO MINORS.** It is prohibited to sell the firecrackers and pyrotechnic devices to minors.

**A. Firecrackers:**

1. Baby Rocket – a firecracker with a stick so constructed that lighting of the wick will propel the whole thing to lift a few meters before exploding. The firecracker is about  $1\frac{1}{2}$  inches in length by  $\frac{3}{8}$  inch in diameter while the stick is about a foot in length;
2. Paper Caps- minute amount of black powder spread in either small strips or paper or on a small sheet used for children’s toy guns;
3. Sky Rocket (kwitis) – a large version of a baby rocket designed to be propelled to a height of forty (40) to fifty (5) feet before exploding;
4. Chinese Firecracker – a string firecrackers tubular in shape about  $1\frac{1}{4}$  length in size and less than  $\frac{1}{4}$  inch in diameter with a wick, also known as small *labintador*. This Chinese Firecracker will only be used during the opening of any establishment.
5. The Rapid Fire – a large version of baby rocket with small *labintador* designed to be propelled to a height of 40 ft. and 50 ft. before after igniting.

**B. Fireworks Devices:**

1. Sparklers – pyrotechnic devices usually made of black powder or a piece of wire or inside a paper tube designed to light up and glow after igniting;
2. Luces – any of several kinds of sparklers;

3. Fountain – a kind of sparkler conical in shape which is lighted on the ground and designed to provide various rising colors and intermittent lights upon being ignited;
4. Jumbo Regular or Special – a kind of sparkler similar to a “fountain” but bigger in size;
5. Mabuhay – sparklers bunched into a bundle of a dozen pieces;
6. Roman Candle – a sparkler similar to a “fountain” but shaped like a big candle;
7. Trompillo – a pyrotechnic device usually fastened at the center and designed to spin first clockwise and then counter clockwise and provides various colored lights upon being ignited;
8. Airwolf – a kind of sky rocket shaped like an airplane with a propeller to rise about forty (40) or fifty (50) feet and provide various kinds of light while aloft;
9. Butterfly – butterfly-shaped pyrotechnic device designed to lift above ground while providing light;
10. All kinds of pyrotechnic devices (pailaw);
11. An other types equivalent to the foregoing devices.

Section 8. **PENALTY CLAUSE.** Any violation of this Ordinance shall suffer the offender thereof to an imprisonment of one (1) year or a fine of Five Thousand Pesos (P5,000.00) or both such fine and imprisonment at the discretion of the court.

No person or entity shall be issued business permit by the Municipal Government in the manufacture, distribution or sale of firecrackers. In case a legitimate business establishment shall manufacture, distribute or sell firecrackers in additional to its usual line of business, the business permit of said legitimate business establishment shall be cancelled and the firecrackers shall be confiscated and destroyed by the Municipal Government.


Section 9. **REPEALING CLAUSE.** All other local enactments, resolutions, memoranda, circulars, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 10. **SAVING CLAUSE.** In the event that a provision of this Ordinance is pronounced or decreed invalid or unconstitutional, all other provisions hereof not affected by such pronouncement or decree shall remain in full force and effect.

Section 11. **EFFECTIVITY CLAUSE.** This ordinance shall take effect after fifteen (15) days following the completion of its full publication in any newspaper of general circulation within the Municipality of Calamba, Misamis Occidental.

Enacted by the 20<sup>th</sup> Sangguniang Bayan of Calamba, Misamis Occidental on its Special Session held on April 28, 2017.

I hereby certify to the correctness of the aforementioned.

  
**BEVERLY B. SAMOSA.MPA**  
*Secretary to the Sanggunian*

Attested:

  
**Hon. ANTONIO N. LAWAS, SR.**  
*Municipal Vice Mayor/Presiding*

Approved:

  
**Engr. EZEL T. VILLANUEVA**  
*Municipal Mayor*  
 Date: 5/8/17