

Republic of the Philippines  
Province of Iloilo  
Municipality of Tigbauan  
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE  
SANGGUNIANG BAYAN TIGBAUAN, ILOILO HELD AT THE BENJAMIN MELLIZA  
HALL, TIGBAUANMUNICIPAL BUILDING, TIGBAUAN, ILOILO ON DECEMBER 15,  
2004 AT 2:15 P.M.

## PRESENT:

HON. ROEL T. JARINA,  
HON. SUZETTE T. ALQUISADA,  
HON. REMEDIOS T. TORRATO,  
HON. ROMEO T. LEDESMA,  
HON. JOSE T. TAVARRO, JR.,  
HON. ALFONSITO E. ESTOCE,  
HON. ALFONSO C. BABIERA,  
HON. PEDRO T. RAPADAS,  
HON. ORVILLE T. TANGENTE,

OFFICIAL BUSINESS:

HON. AGATON O. TUMABOTABO,  
HON. JOSE DONEL T. TRASPORTO,

Vice Mayor  
SKMF President

**Municipal Ordinance No. 2004-010**

**AN ORDINANCE PROHIBITING THE TRANSPORT, STORAGE, DISPLAY AND SALE OF HIGHLY COMBUSTIBLE MATERIALS SUCH AS GASOLINE, KEROSENE, CRUDE OIL, MOTOR OIL AND FIRECRACKERS/PYROTECHNICS IN OUR MUNICIPALITY WITHOUT LICENSE OR BUSINESS PERMIT AND PROVIDING PENALTIES IN VIOLATION THEREOF**

- SPONSORED BY: HON. SUZETTE T. ALQUISADA, Chairperson, S.B. Committee on Appropriation, Budget, Finance, Accounts and Legal Matters

SECONDED BY : HON. ALFONSITO E. ESTOCE & HON. ORVILLE T. TANGENTE

WHEREAS, Art. (I00) (a) (4) of the Implementing Rules and Regulations of the Local Government Code provides that the Sangguniang Bayan shall regulate activities relative to the use of land, buildings, and structures within the municipality in order to promote the general welfare and for said purpose, shall: xxx (vi) Regulate the establishment and provide for inspection of steam boilers or any heating device in buildings and the storage of inflammable and highly combustible materials within the municipality;

WHEREAS, injury to persons and loss of and damage to property by fire undermines the economic and social gains of the society:

WHEREAS, in order to effect a meaningful reduction of the damages and losses brought by fire, there is need to provide safeguards for the transport, storage, display and sale of highly combustible materials in the municipality of Tigbauan;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Tigbauan that:

**Section 1. Title.** This Ordinance shall be known as – “An Ordinance Prohibiting the Transport, Storage, Display and Sale of Highly Combustible Materials Such as Gasoline, Kerosene, Crude Oil, Motor Oil and Firecrackers/Pyrotechnics in our Municipality Without License or Business Permit and Providing penalties in Violation Thereof.”

**Section 2. Declaration of Policies.** The following are the policies of the LGU of Tigbauan:

- a. The Local Government of Tigbauan, with the cooperation of National Government Agencies and the private sector, shall develop and promulgate sets of standards and regulations in fire prevention and fire safety;
- b. Fire Prevention and fire safety shall be undertaken continuously involving all sectors of the community;
- c. The organization, administration and operation of the Fire Service shall be under the Bureau of Fire Protection in cooperation with the local government of Tigbauan.
- d. Awareness, precaution and prevention are the best weapons for the safety of the inhabitants of this municipality for a progressive Tigbauan.

**Section 3. Scope and Limitation.** This ordinance shall apply to all establishments, proprietors, persons, within the Municipality of Tigbauan who will engage in the Transport, Storage, Display and Sale of Highly Combustible Materials Such as Gasoline, Kerosene, Crude Oil, Motor Oil and Firecrackers/Pyrotechnics in our Municipality.

**Section 4. Definition of Terms.**

- a. Combustible - descriptive of materials that are easily set on fire.

- b. Fire Hazard - Any condition or act which increases or may increase in the probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operation and safeguarding of life and property.
- c. Transport - to carry or move from one place to another with a use of motor vehicle or other means of transportation.
- d. Storage - the act of storing materials or any other solid, liquid and like matters
- e. Display - The act of exhibiting or displaying for public view
- f. Sale - exchange of goods or property for agreed sum of money

#### **Section 5. Prohibited Acts.**

The Following are declared as prohibited acts and omissions:

- a. Transporting, storing, display for purposes of selling the Highly Combustible Materials Such as Gasoline, Kerosene, Crude Oil;
- b. Selling of Highly Combustible Materials Such as Gasoline, Kerosene, Crude Oil;
- c. Selling of Firecrackers/pyrotechnics to minors.

**Section 6. Business permits.** Any person, establishment or entity who/which desires to engage in the bush f Transport, Storage, Display and Sale of Motor Oil and Firecrackers/Pyrotechnics is require too secure a business permit to engage in such activity with the local government of Tigbauan. A business permit fee of P500.00 annually, shall be imposed to engage for such activity. For occasional and temporary business activity, a peddler's fee of P200.00 shall be imposed.

**Section 7. Penalties.** Any person who violates any provision of this ordinance shall be penalized with a fine of Two Thousand Five Hundred Pesos (P2.500.00).

**Section 8. Enforcement and Implementation.** The Bureau of Fire Protection personnel are hereby tasked to implement and enforce this Ordinance, as such authority is given to the BFP personnel to apprehend the violators and confiscate the illegal items. Furthermore, the BFP shall provide and designate safety places for the sellers of firecrackers/pyrotechnics.

**Section 9. Repealing Clause.** All previous ordinances, rules and regulations or parts thereof which are inconsistent with the ordinance are hereby repealed or modified accordingly.

**Section 10. Separability Clause .** If for any reason/s any portion or provision of this Ordinance is declared unconstitutional or invalid, the other portions or provisions hereof which are not affected, thereby, shall continue to be in full force and effect.

**Section 11. Effectivity.** This Ordinance shall take effect ten (10) days after a copy thereof is posted in a bulletin board at the entrance and in at least two (2) conspicuous places of the municipal building.

ENACTED. December 15. 2004.

I HEREBY CERTIFY that the foregoing Municipal Ordinance was approved by the Sangguniang Bayan.

CERTIFIED CORRECT:

MARLENE T. NAVA  
S.B. Secretary

ATTESTED: ROEL T. JARINA  
Councilor & Temporary Presiding Officer

APPROVED:

MYRNA M. TORRES  
Municipal Mayor