

13<sup>th</sup> City Council  
41<sup>st</sup> Regular Session  
Series of 2002

Republika ng Pilipinas  
**LUNGSOD NG DABAW**  
Tanggapan ng Sangguniang Panlungsod

**PRESENT:**

|           |   |
|-----------|---|
| Councilor | Jimmy G. Dureza, Acting Presiding Officer |
| Councilor | Nilo G. Abellera                          |
| Councilor | Ma. Belen S. Acosta                       |
| Councilor | Victorio S. Advincula                     |
| Councilor | Wilberto E. Al-ag                         |
| Councilor | Alexis C. Almendras                       |
| Councilor | Leonardo R. Avila, III                    |
| Councilor | Gerald B. Bangoy                          |
| Councilor | Salvador V. Caingles                      |
| Councilor | Danilo C. Dayanghirang                    |
| Councilor | April Marie C. Dayap                      |
| Councilor | Shane L. Dolor                            |
| Councilor | Emmanuel D. Galicia, Sr.                  |
| Councilor | Frances Mabel A. Laman                    |
| Councilor | Pater T. Laviña                           |
| Councilor | Angela A. Librado                         |
| Councilor | Liborio V. Lumain                         |
| Councilor | Disdado Angelo A. Mahipus, Sr.            |
| Councilor | Teresita Mata-Marañon                     |
| Councilor | Bonifacio E. Militar                      |
| Councilor | Tomas J. Monteverde, IV                   |
| Councilor | Beethoven L. Orcullo                      |
| Councilor | Myrna G. L'Dolado-Ortiz                   |
| Councilor | Susan Isabel C. Reta                      |
| Councilor | Dioscoro B. Sampaga, Jr.                  |
| Councilor | Isidro T. Ungab                           |

**ON OFFICIAL BUSINESS:**

Vice Mayor Luis C. Bonguyan- OIC, City Mayor's Office

**ORDINANCE NO. 060-02**  
Series of 2002

**“ AN ORDINANCE PROHIBITING THE MANUFACTURE, SALE, DISTRUBUTION, POSSESSION OR USE OF FIRE CRACKERS OR PYROTECHNIC DEVICES AND SUCH OTHER SIMILAR DEVICES AND THE EXPLODING OF FIRECRACKERS OR OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF DAVAO CITY.**

Be it ordained by the Sangguniang Panlungsod of Davao City 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 Davao City 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 sale, distribute, possess or use any firecracker or pyrotechnic devices or such other similar devices within the territory of Davao City;

**SECTION 3. PENALTIES.** – Violation of any of the provision of Section 2 of this Ordinance shall be penalized as follows:

A.) For the first offenses, a fine of One Thousand Pesos (P1,000.00) or imprisonment of not more that 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 Three Thousand Pesos (P3,000.00) or imprisonment of not more than Three (3) 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 Five Thousand Pesos (P5,000.00) or imprisonment of not more than Six (6) months but not less Three (3) months, or fine and imprisonment, at the discretion of the Court.

If the violation is committed by a business establishment, the President of General Manager other 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 City Mayor upon the commission of the third offense.

**SECTION 4. SEPARABILITY CLAUSE.** - Should any of the provision of this Ordinance be declared inoperative by the Courts for being inconsistent with the Constitution or the law, the other unaffected provision 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 provision of this Ordinance are hereby repealed or modified accordingly.

**SECTION 6.** – This Ordinance shall take effect after its approval and following its publication in a newspaper of general circulation.

**ENACTED**, October 15, 2002, by a majority vote of all the Members of the Sangguniang Panlungsod.

**CERTIFIED CORRECT:**

**(SGD.) LOLITA C. GARCIA**  
Secretary to the Sangguniang Panlungsod  
(City Government Department Head II)

**ATTESTED:**

**(SGD.) JIMMY G. DUREZA**  
City Councilor  
Acting Presiding Officer  
/vl

**APPROVED:** November 6, 2002

**(SGD.) RODRIGO R. DUTERTE**  
City Mayo

**ATTESTED:**

**LEO G. DE LOS SANTOS**  
City Administrator

**A CERTIFIED TRUE COPY:**

**MARGARITO C. DELA CRUZ**  
Assistant Secretary  
(City Government Assistant Department Head II)  
/vl – 11/8/02