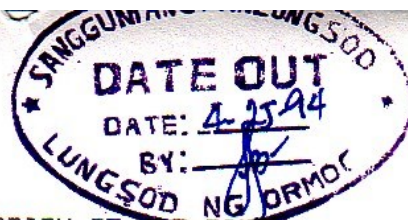


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SIXTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO SESSION HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON APRIL 21, 1994



PRESENT:	Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
	Hon. Sotero M. Pepito,	Majority Floor Leader, Kagawad
	Hon. Jose B. Conejos,	Assistant Majority Floor Leader, Kagawad
	Hon. Celso P. Adolfo,	Kagawad
	Hon. Sixto T. Pongos,	Kagawad
	Hon. Benjamin B. Lladoc,	Kagawad
	Hon. Mariano Y. Corro,	Kagawad
	Hon. Nestor C. Penserga,	Kagawad
	Hon. Claudio P. Larrazabal,	Kagawad
	Hon. Jose C. Alfaro, Jr.,	Kagawad
	Hon. Alfredo F. Capahi,	Kagawad
	Hon. Fernando P. Parrilla,	ABC President, Ex-Officio, Kagawad
	Hon. Angelyn R. Paca,	SK Fed. Pres., Ex-Officio, Kagawad
ABSENT:		

RESOLUTION NO. 77

EXPLANATORY NOTE

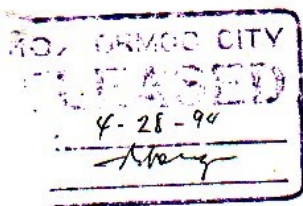
Per Memorandum Circular No. 93-125 of the Department of the Interior and Local Government dated September 24, 1993, the different Sangguniang Panlungsod were directed to adopt safety precautionary measures that will guarantee the protection and preservation of the lives of the inhabitants during local celebrations, such as festivals, fiestas, fairs, carnivals, parades, processions and similar assemblies.

The issuance of the aforesaid memorandum circular was triggered by the tragic incident that occurred during the annual celebration of the Pagoda at Wawa in Bocaue, Bulacan on July 2, 1993 where more than 300 people unnecessarily lost their lives. That tragic incident should serve a lesson and a grim reminder of what can happen if basic safety measures are not properly observed.

Further, said memorandum circular directed the different sangguniang panlungsod of the country to formulate and enact an ordinance adopting a Code of Public Safety to be observed during such local celebrations.

Foregoing premises considered, on motion presented by Kagawad Jose C. Alfaro, Chairman Committee on Police, Fire and Public Safety, severally seconded by mga Kagawad Sotero M. Pepito, Benjamin B. Llado and Alfredo F. Capahi; be it

Resolved to pass -



[Signature]

ORDINANCE NO. 42

AN ORDINANCE ESTABLISHING CODE OF PUBLIC SAFETY DURING
FESTIVITIES AND CELEBRATIONS.

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD NG ORMOG IN SESSION
ASSEMBLED, THAT:

ARTICLE I

SECTION 1. This Ordinance shall be known and cited as the CODE OF
PUBLIC SAFETY of 1994.

SECTION 2. The purpose of this ordinance is to adopt safety
precautionary measures that will guarantee the protection and
preservation of lives of inhabitants during local celebrations such as
festivals, fiestas, fairs, carnivals, parades, processions and similar
assemblies.

ARTICLE II

On Road and River Safety

SECTION 1. A month prior to celebration of any festivity, for
reason of public safety the following should be observed;

- a. All areas which will be the site of actual festivities and
parade routes should be inspected at least thirty (30)
days prior to the festivity by the City Engineer's Office
who shall direct the Chairman of the festival organizer to
immediately cover/repair any potholes/diggings or
excavations.
- b. The Office of the City Engineer shall clear or caused to
be cleared the sidewalk of any obstructions that may pose
possible harm to the public.
- c. There shall be specific areas designated by the City
Engineer's Office where ambulant vendors for the occasion
may ply their trade.
- d. Appropriate traffic signs shall be in place and traffic
laws and ordinances strictly enforced by the Philippine
National Police.
- *e. Person(s) concerned/incharge of the festivity/celebration
shall see to it that streamers, bunting and other
materials installed on alleys and roadways are properly
placed with consideration to public safety. Same }
streamers, buntings and other installations shall be }
removed within three (3) days from the said festivity or }
celebration.

SECTION 2. In instances where any form of motorized watercraft is
used during the celebration the Coast Guard or the Maritime Police shall
check on the seaworthiness of said vessels and given the proper
clearance for their use.

The same agency shall see to it that these vessels are not loaded
beyond their capacities to ensure the safety of the passengers.

ARTICLE III

Design and Structure of Floats, Platforms, Towers, Stages, Pagodas and other similar structures

SECTION 1. The Office of the City Engineer shall inspect and see to it that floats, platforms, towers and stages are structurally sound and safe before allowing the use of the aforementioned structures.

They shall also see to it that maximum load capacities and capabilities are being observed.

SECTION 2. Any installation of electrical wirings for floats, platforms, towers, stages and/or similar structures should first be inspected by the Bureau of Fire Protection which shall certify as to the safety in the use of such construction on the said structure.

No combustible decorative materials should be combined with electrical bulbs, nor inflated balloons be used as decorations near lighted bulbs or candles.

ARTICLE IV

Fire Crackers and the Pyrotechnic Displays

SECTION 1. Use and/or explosion of fire crackers and other pyrotechnic materials shall be regulated and supervised by the Chairman of the festival organizer and the following shall be observed:

- a. Fire crackers and other pyrotechnic materials shall be handled only by authorized person.
- b. No fire crackers shall be handled and/or exploded on board boats/bancas and other motorized vehicles participating in any celebration.
- c. Pyrotechnic materials may be exploded only in designated places, away from combustible materials, during celebration.
- d. The explosion of fire crackers known as "bawang", whistle bombs, baby dynamite and other fire crackers of similar strength, and kind shall be prohibited.

ARTICLE V

Penalty

Any person or persons violating the aforementioned provisions of this ordinance shall be fined not more than ₱5,000.00; or imprisonment of not exceeding one year, or both fine and imprisonment at the discretion of the court; specifically but not limited to:

- a) Holding of local celebration such as festivals, fiestas, fairs, carnivals, parades, processions and similar assemblies without first securing the necessary permits;
- b) Exploding fire cracker(s) when not authorized to do so;

- c) Loading of fire cracker(s) and other explosions on board bancas, boats, motorboats and other water crafts participating in fluvial parade;
- d) Exploding pyrotechnic materials in places other than those designated for the occasion for exploding the same;

ARTICLE VI

Duties and Responsibilities of LGU and other Agencies concerned.

- SEC. 1. Whenever practicable, fire trucks and other fire-fighting equipment including local paramedic team, if available, should be in full alert status during any celebration or activities involving big crowd.
- SEC. 2. Medical and first aid teams should be assigned in properly designated places in the locality. Teams or personnel knowledgeable on the application of Cardio-Pulmonary Resuscitation (CPR) and similar techniques including the application of first aid should be utilized for possible assistance.
- SEC. 3. Medical vehicles should be stationed near the area of celebration ready to transport accident victims from site to designated medical stations, clinics or hospitals.
- SEC. 4. Proper sanitation and hygiene should be observed by the sponsor(s) and/or participants of the celebration or festivity.
- SEC. 5. It is the responsibility of the organizers of the said festivity to field crowd control personnel or marshals to avoid incidence of panic and stampedes during shows and exhibitions.

Said organizers should also coordinate with the City Disaster and Coordinating Council (CDCC), the Peace and Order Council (POC) for proper safety precautions and peace and order measures necessary and appropriate for said celebration.

Failure however, to provide the above services and facilities enumerated in Article VI hereof does not constitute a punishable offense, under this Ordinance.

ARTICLE VII

Responsibility for Public Safety

Public Safety shall be the primary responsibility of the City Mayor, the Police Station Commander, and the Chairman of the Festival Organizer. As such, these are their roles and responsibilities:

- SEC. 1. The Mayor:
 - a. Ensure that the provisions of the Code of Public Safety are effectively disseminated and implemented by all concerned;



- b. Require the festival organizer to submit a detailed action plan for the local celebration before issuing the required permit; and
- c. Coordinate the activities of all sector involved in the planning, preparation and conduct of local celebrations.

SEC. 2. The Police Station Commander:

- a. Maintain peace and order in the locality;
- b. Provide protection and ensure safety of all persons from criminal elements;
- c. Monitor movements of people and deploy police officers where festivities are being held;
- d. Oversee the smooth flow of traffic of people and vehicles; and
- e. Provide other emergency safety measures to cope up with any eventuality during the local celebrations.

SEC. 3. The Chairman of the Festival Organizers:

- a. Ensure that all safety precautions as contained in the Code of Public Safety are strictly observed in the planning, preparation and actual conduct of local celebrations;
- b. Designate marshals to guarantee safety and orderliness during parades, processions and similar activities;
- c. Coordinate closely with the Mayor and the Police Station Commander before and during local celebrations; and
- d. Prepare a detailed action plan for the local celebration to be submitted to the Office of the Mayor, copy furnished the Police Station Commander.

ARTICLE VIII

ISSUANCE OF PERMIT

Any individual, group, or organization intending to hold any local celebration shall secure a permit from the Office of the Mayor at least fifteen (15) days before actual conduct of the affair. The request for issuance of a permit shall be accompanied by a detailed action plan for the celebration.

ARTICLE IX

REPEAL

All Ordinances and regulations or parts thereof in conflict with this ordinance are hereby repealed.

ARTICLE X

SEPARABILITY CLAUSE

Should any provision, section, or part of this Ordinance be adjudged or declared illegal or unconstitutional by any court of competent jurisdiction, such judgment shall not affect or impair the other provisions, sections, or part which shall continue to be in force and effect.

ARTICLE XI

EFFECTIVITY

In conformity with Section 511 of the Local Government Code of 1991 this Ordinance shall be posted at prominent places in the City Hall for a period of 3 consecutive weeks after which this ordinance shall become effective.

RESOLVED, FURTHER, to furnish copies of this resolution-ordinance each to the Honorable City Mayor Eufrocino M. Codilla, Sr.; the Chief of Police and the Chief of Ormoc Fire Department; the City Engineer; the City Health Officer; the Regional Director, DILG, Tacloban, and the DILG-ACSO Officer of Ormoc; the Maritime Police and the Philippine Coast Guard Officers; the Peace and Order Council and the City Disaster Coordinating Council; the Barangay Affairs Office, and all others concerned in Ormoc City;

ENACTED, April 21, 1994.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution-ordinance.

BENJAMIN F. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:

OSCAR LASAM
City Secretary

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

4/26/94
(Date)

/macgh'94
/dsk. R94-1