

Republika ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod Ng Bacolod
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CITY ORDINANCE NO. 648
Series of 2013

AN ORDINANCE REGULATING THE INSIDE STORAGE OF LIQUIFIED PETROLEUM GAS (LPG) TANKS OR CYLINDERS IN ANY RESIDENTIAL BUILDING INSIDE SUBDIVISIONS OR RESIDENTIAL AREAS NOT AUTHORIZED BY THE BACOLOD CITY FIRE DEPARTMENT FOR THE PROTECTION OF HIGHLY INFLAMMABLE AND COMBUSTIBLE MATERIALS WHICH ARE DANGEROUS TO LIFE AND PROPERTY DUE TO FIRE HAZARD OR EXPLOSION AND FOR OTHER PURPOSES.

WHEREAS, the Sangguniang Panlungsod of the City of Bacolod, as the legislative body shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants, has the power to legislate and regulate the establishment and provide for the inspection of any storage of inflammable and combustible material stored within the jurisdiction of the city;

WHEREAS, Section 458 (4) (VI) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, states that, "to regulate the establishment and provide for inspection xxx and the storage of flammable and highly combustible materials within the City limit;

WHEREAS, Section 458 (1) (IV) of the same law, also states that, "to adopt measures to protect the inhabitants of the city from harmful effect of man-made natural disaster;

WHEREAS, some LPG distributors, retailers and convenience stores in residential subdivisions in Bacolod City is allowed to store only ten (10) tanks of LPG or cylinders in their establishment as indicated in their business permit;

WHEREAS, the over-stock and the unchecked proliferation of improper and unsafe tank or cylinder has highly contributed in highly accidental fire in homes as well as commercial setting;

WHEREAS, report from the Bureau of Fire Protection, in National Capital Region, LPG tank explosive have emerged as a leading cause of deadly fire, averaging around 10 incidents every month causing loss of property and life;

WHEREAS, there is a violation of the Bureau of Fire Protection Fire Code and business permit for those establishments who continue to disregard the proper storage of LPG tank.

NOW, THEREFORE, BE IT ORDAINED, an it is hereby ordained, by the Sangguniang Panlungsod of Bacolod City that:



Section 1. Title- This ordinance shall be known as "AN ORDINANCE REGULATING THE STORAGE OF INFLAMMABLE OR COMBUSTIBLE MATERIALS AT RESIDENTIAL AREAS IN THE CITY OF BACOLOD".

Section 2. Declaration of Policies - It is hereby declared the policy of the City of Bacolod to protect the interest and safety of the consumer residence and ensure their general welfare and to establish standard and conduct of storage of flammable and combustible materials and LPG in residential area of consumer or their business establishment.

Section 3. Definition of Terms used in this ordinance

1. **BFP** - shall refer to the Bureau of Fire Protection, created under Republic Act No. 6975, Series of 199-. As amended.
2. **BPS** - shall refer to the Bureau of Products Standard, created under Republic Act No. 4109, otherwise known as "Philippine Standardization Law".
3. **Brand Owner** - shall refer to a person owning the brand name, color, mark or destination as registered with PO of the DTI.
4. **Bulk Consumers** - shall refer to any person in whose regular use or consumption of LPG is limited to its own use and require bulk trap of LPG at a volume as may determined by DOE.
5. **Certification** - shall refer to the written assurance given by DTI that LPG cylinder has complied with existing PNS or any other standard issued by the BPS pursuant to Republic Act No. 4109 governing specifications and requirements for the repair of steel cylinder for LPG.
6. **Consumer** - shall refer to any portable pressure - vessel or container of LPG in cylinder to consumer and/or retail outlets.
7. **Container** - shall refer to any person who is involved in the sale or tracking of LPG. Designed for the transportation and storage of LPG.
8. **Dealer** - shall refer to any person who is involved in the sale or tracking of LPG in cylinder to consumer and/or retail outlets.
9. **LPG**- shall refer to liquified Petroleum Gas which consists of commercial propane gas or commercial butane gas or mixture of the two gases with properties conforming to the standard set forth in the existing PNS every other standards prescribed by the BPS.
10. **Residential** - occupancies with not more than three (3) dwelling units with detached garage shall store flammable and combustible liquid up to a maximum of ninety four (94) liters.
11. **11) Retail Outlet** - shall refer to any entity that sells LPG in cylinder directly to consumer in quantities as may be determined by the DOE.
12. **12) Storage** - shall refer to space for keeping LPG in or place as needed.
13. **13) Storage Occupancy** - includes all building or structure utilized primarily for the storage or sheltering of goods, merchandise, products, vehicles or animals.



Section 4 Retailers Obligation

All retailers of Liquefied Petroleum Gas in the City of Bacolod are required to secure a Fire Safety Inspection Certificate/Clearance from the Bureau of Fire Protection prior to the application of the Business Permit.

Section 5 Illegal Storage

Any refiner, refill, hauler, dealer, retail outlet in bulk consumer who stores LPG in bulk without obtaining a license to operate or certificate on non-coverage as applicable which is required under the Fire Code, shall be penalized under Republic Act No. 9514 and under this Ordinance.

Section 6 Allowable Household Storage of LPG Cylinder or Tank a Household or Individual Residence can Store as End-User

Every individual residence and household in the residential area or subdivision in the City of Bacolod is advised to store only two (2) LPG cylinders, one for their actual use and one for reserve. In case where the individual residence or household requires more than the number allowed in this ordinance, the end-user is advised to get a clearance from the Bureau of Fire Protection (BFP) for their protection and safety.

Section 7 Recommended Safe Practices under the Fire Code of the Philippines. The following are the Safe Practices to all End-User

- c) In some institutions., LPG cylinders are placed in compartments near the appliances, such compartments whether or not integral to the appliance shall be aired or ventilated periodically during the day. No combustible or spark proceeding objects should be stored within the said compartments;
- b) LPG Cylinders should not be placed near electrical convenience outlet and/or switches;
- c) If the burner does not have an automatic igniter, a lighter matchstick should be placed on the burner before the gas knob is turned;
- d) LPG appliances should be provided with safety devices that automatically stop the flow of gas, should a leak develop in the tubing and/or piping between the regulator and the burner;
- e) Tanks/cylinder valve/regulator should be closed after the LPG appliance is used.

All provisions of the Safety Code of the Philippine Liquefied Petroleum Gas Association Series of 1976, which are not inconsistent with this ordinance, shall be followed.

Section 8 Penalty Clause

An individual person, retailer or dealer of LPG inside the residential areas and subdivisions in the City of Bacolod who violate this Ordinance shall be penalized on the following:

- | | |
|-------------------------|--|
| 1 st offense | Fair warning: This building is fire hazard. |
| 2 nd offense | Secure a Safety Fire Clearance from the Bacolod City Bureau of Fire and Protection |
| 3 rd offense | Cancellation of Business Permit by the City or pay a fine of Two Thousand Pesos (P2,000.00) to the City. |

The administrative fine to be collected shall be paid to the City Treasurer's Office.

Section 9 Separability Clause

If for any reason or reasons any part or provision of this ordinance shall be held to be unconstitutional or invalid other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 10 Repealing Clause

All City ordinances, local rules and regulation or parts thereof, which are inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

Section 11 Effectivity Clause

This ordinance shall take effect fifteen (15) days after its publication in a newspaper of local circulation and after posting in at least three (3) conspicuous places within the City of Bacolod

CARRIED BY THE VOTE OF:

Affirmative:

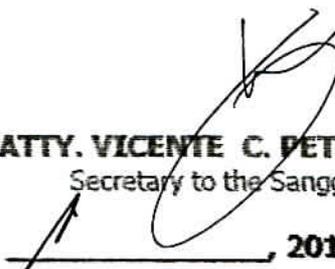
Councilors: Homer Q. Bais, Archie S. Baribar, Roberto M. Rojas, Catalino T. Alisbo, Em L. Ang, Dindo C. Ramos, Sonya M. Verdeflor, Caesar Z. Distrito, Mona Dia G. Jardin, Keith Emmanuel L. Ramos.



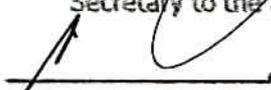
Negative: None.
Absent: None.
Official Leave: Vice Mayor Jude Thaddeus A. Sayson and Councilor Carlos Jose V. Lopez.
Author: Councilor Catalino T. Alisbo.
Passed: June 26, 2013 (155th Regular Session).
Comment: Passed.
Councilors Al Victor A. Espino and Elmer T. Sy were not around when this ordinance was passed.


ELPIDIO M. FAMILIARAN
Acting Presiding Officer

ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian

APPROVED:

 2013

EVELIO R. LEONARDIA
City Mayor

VCP/HPL/itm*

10 DAYS LAPSED
AS OF July 19, 2013



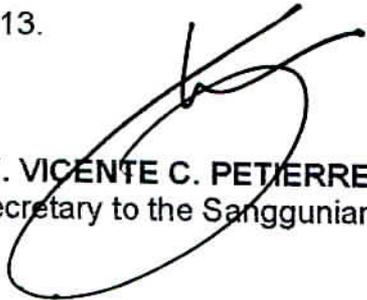
CERTIFICATION

This is to certify that **City Ordinance No. 648**, Series of 2013, passed by the Sangguniang Panlungsod on June 26, 2013, entitled:

"AN ORDINANCE REGULATING THE INSIDE STORAGE OF LIQUIFIED PETROLEUM GAS (LPG) TANKS OR CYLINDERS IN ANY RESIDENTIAL BUILDING INSIDE SUBDIVISIONS OR RESIDENTIAL AREAS NOT AUTHORIZED BY THE BACOLOD CITY FIRE DEPARTMENT FOR THE PROTECTION OF HIGHLY INFLAMMABLE AND COMBUSTIBLE MATERIALS WHICH ARE DANGEROUS TO LIFE AND PROPERTY DUE TO FIRE HAZARD OR EXPLOSION AND FOR OTHER PURPOSES."

was submitted to the Office of the City Mayor on **July 9, 2013** for approval. The ten (10) day period lapsed on **July 19, 2013** without the Mayor's signature. This ordinance is therefore considered in effect in accordance with law and was likewise published in the **August 16, 2013** issue of **Negros Daily Bulletin** (with erratum) and was posted in the bulletin board of the Sangguniang Panlungsod at the New Government Center as required in the said City Ordinance and is now therefore legally in effect.

Bacolod City, Philippines, September 2, 2013.


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian