



Republic of the Philippines  
MUNICIPALITY OF PINAMALAYAN  
Oriental Mindoro

Office of the Sangguniang Bayan

ORDINANCE NO. 04-98

AN ORDINANCE REGULATING THE TRANSPORT, CONVEYANCE, BARTER, SALE, DISPLAY, REFILL AND STORAGE OF LIQUEFIED PETROLEUM GAS (LPG) AND THE MAINTENANCE AND OPERATION OF STORES AND WAREHOUSE FOR THE PURPOSE OF SELLING, DISPLAYING AND/OR STORING LIQUEFIED PETROLEUM GAS (LPG) WITHIN THE MUNICIPALITY OF PINAMALAYAN AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Be it ordained by the Sangguniang Bayan of Pinamalayan, Oriental Mindoro that :

Section 1. Title. This Ordinance shall be known and cited as "PINAMALAYAN LPG REGULATION ORDINANCE OF 1998".

Section 2. Scope of Application -

a) This ordinance shall govern the transport, conveyance, sale, refill, display, barter, storage and other transactions involving liquefied petroleum gas within the Municipality of Pinamalayan.

b) This ordinance shall apply and be enforced upon all persons, corporations or entities engage in the business of selling, bartering, refilling, transporting, and/or storing liquefied petroleum gas within the territorial jurisdiction of the Municipality of Pinamalayan.

Section 3. Definition of Terms - The following terms/words as used in this ordinance shall mean :

a) dilapidated - any dents, rust or any unwanted signs of deterioration found in LPG cylinders.

b) outlet - any store engaged in selling LPG.

c) dealer - one who buys and sells LPG.

d) distributor - one that markets LPG authorized by the manufacturer/producer to distribute to wholesalers.

e) wholesalers - middleman who sells LPG chiefly to retailers, merchants, industrial and commercial users mainly for resale.

f) refill - a replacement for the used content of a container.

g) tare weight - the weight of the empty cylinder.

Section 4. Storage of Liquefied Petroleum Gas (LPG) - No person or establishment shall be allowed to operate and maintain a warehouse or any storage area for the storage of Liquefied Petroleum Gas (LPG) or its empty cylinders nor shall in any way store Liquefied Petroleum Gas (LPG) for purpose of sale, barter or distribution in a vicinity/place classified as residential area under the Zoning Ordinance of Pinamalayan.

Section 5. Sale, refill or barter of Liquefied Petroleum Gas (LPG) - The sale whether wholesale or retail, or barter of Liquefied Petroleum Gas (LPG), shall be allowed only in industrial zone. Sale or barter of Liquefied Petroleum Gas (LPG) may only be allowed in residential zones wherein mixed land use is allowed, provided that the establishment shall not be allowed to store more than fifteen (15) Liquefied Petroleum Gas (LPG) cylinders at any one time. Provided, further that any display of Liquefied Petroleum Gas (LPG) shall not be allowed on sidewalks or alleys or portion thereof.



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Page Two (2) of Ordinance No. 04-98 :

**Section 6. Fire Protection -** Any person bartering, storing, refilling, or selling Liquefied Petroleum Gas (LPG) in accordance with this ordinance shall be required to install fire prevention and protection equipment or devices depending of the actual need, size and storing capacity of the storage area, warehouse or store. The Office of the Municipal Fire Marshall, Bureau of Fire Protection shall determine the needed fire prevention and protection equipment or devices required for a specific warehouse or store.

**Section 7. Transport and conveyance of Liquefied Petroleum Gas (LPG) -** No person or establishment engaged in transporting or conveying of Liquefied Petroleum Gas (LPG) shall be allowed to transport or convey for commercial purposes Liquefied Petroleum Gas (LPG) within the Municipality of Pinamalayan whether or not the said Petroleum Gas (LPG) shall be sold and/or unloaded in Pinamalayan unless a business permit has been obtained for the said specific purpose. The prescribed regulatory fees and taxes shall be paid in accordance with the Revenue Code of Pinamalayan for the issuance of the permit.

All dealers, wholesalers, or retailers of Liquefied Petroleum Gas (LPG) intending to transport or convey Liquefied Petroleum Gas (LPG) shall also be required to obtain the aforementioned permit prescribed under this section in addition to the business permit granted for the exercise of the LPG dealer, wholesaler, retailer and refiller.

**Section 8. Defective/dilapidated cylinders -** It shall be unlawful for any person or establishment engaged in the selling, bartering, or refilling to use, barter, refill or sell defective/dilapidated Liquefied Petroleum Gas (LPG) cylinders posing danger to the general public. Cylinders shall be considered dilapidated or defective in accordance with the standard used by the Liquefied Petroleum Gas Institute of the Philippines and applicable national laws.

**Section 9. Under-filled Liquefied Petroleum Gas (LPG) -** It shall be unlawful for any person or establishment to refill or to sell under-filled Liquefied Petroleum Gas (LPG) to the public. Dealers, distributors, wholesalers and retailers of Liquefied Petroleum Gas (LPG) shall provide and install in their respective market premises "weighing or measuring scale" that would serve as gauge in determining the correct and true weight of LPG cylinders being displayed and offered for sale.

**Section 10. Tare Weight Requirement -** All dealers, distributors, wholesalers, retailers, refillers of Liquefied Petroleum Gas (LPG) are required to put the tare weight or weight of the empty cylinder conspicuously on each of the Liquefied Petroleum Gas (LPG) cylinders sold to the public.

**Section 11. Monitoring of Liquefied Petroleum Gas (LPG) dealers, distributors, wholesalers, retailers and refillers.**

The Office of the Mayor, through the Business Permit and License Office, and the Office of the Municipal Fire Marshall shall monitor the activities of all dealers, distributors, wholesalers, retailers and refillers of Liquefied Petroleum Gas (LPG) within the Municipality of Pinamalayan and are authorized to enforce the provisions of this ordinance. They are further authorized and mandated to conduct inspection of the abovementioned establishments to enforce compliance with the provisions of this ordinance.

**Section 12. Penalties -** Violators of any of the provisions of this Ordinance shall be meted the following penalties :

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Page Three (3) of Ordinance No. 04-98 :

- a) Immediate cancellation of the Business Permit of dealers, distributors, wholesalers, retailers and refillers.
- b) Immediate cancellation of the Business Permit in case of person or establishment engaged in the transport or conveyance of the LPG mentioned in Section 7 of this Ordinance.
- c) All defective/under-filled cylinders subject of the offense herein penalized shall be confiscated in favor of the Municipal Government of Pinamalayan and shall be disposed of in accordance with this ordinance and the order of the proper court; and in all cases
- d) Fine of not more than ₱2,500.00 and/or imprisonment of not more than six (6) months, upon the discretion of the Municipal Trial Court of Pinamalayan.

In case of violation of any of the provisions of this ordinance by a juridical or corporate entity, the President or the General Manager thereof shall be the one criminally liable.

Section 13. Transitory Provision - All persons or establishments adversely affected by this Ordinance shall be given a period of six (6) months after the date of effectivity of this Ordinance within which to comply with all the provisions hereof.

Section 14. Repealing Clause - All Ordinances and Resolutions, or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

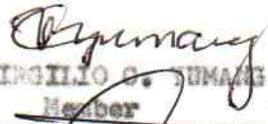
Section 15. Separability Clause - If for any reason or reasons, any part or provision of this ordinance shall be held to be invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 16. Effectivity Clause - This ordinance shall take effect after its complete publication once in at least one (1) newspaper of general circulation within the Municipality. The Secretary of the Sanggunian shall likewise cause the dissemination of the salient provision of this ordinance to the affected persons and establishments and to the general public immediately upon approval hereof.

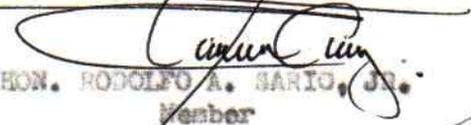
UNANIMOUSLY APPROVED this 13th day of July, 1998 upon motion of Honorable SB Member Quintin S. Maramot, Jr. and duly seconded by Honorable SB Member Rosulo M. Jamilla.

  
HON. ROSULO M. JAMILLA  
Member

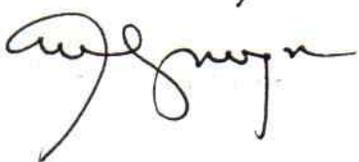
  
HON. QUINTIN S. MARAMOT, JR.  
Member

  
HON. VIRGILIO S. SUMANG  
Member

  
HON. CONCHITA F. AGARAP  
Member

  
HON. RODOLFO A. SARIO, JR.  
Member

  
HON. N. VICENTE CASTILLO  
Member





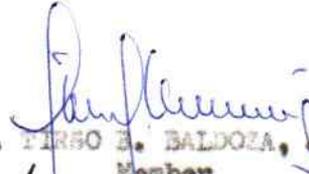


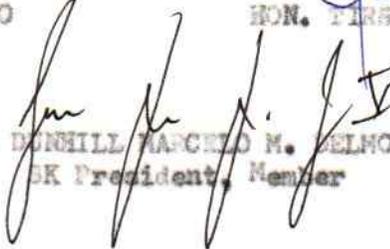
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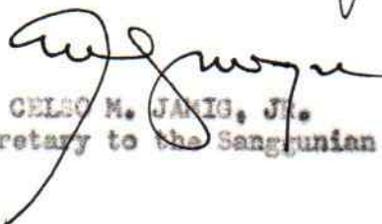
Page Four (4) of Ordinance No. 04-98 :

  
HON. PATRICIO J. OCAMPO  
Member

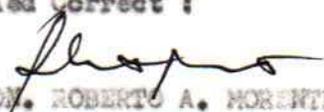
  
HON. FIRSO E. BALDOZA, JR.  
Member

  
HON. BENHILL MARCELLO M. DELNO V  
BK President, Member

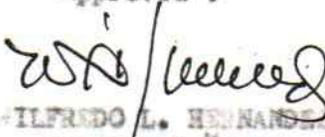
Attested :

  
CELSO M. JAMIG, JR.  
Secretary to the Sanggunian

Certified Correct :

  
HON. ROBERTO A. MORANTE  
Vice Mayor, Presiding Officer

Approved :

  
HON. WILFRIDO L. HERNANDEZ, SR.  
Municipal Mayor



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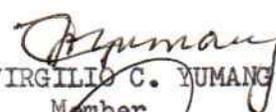
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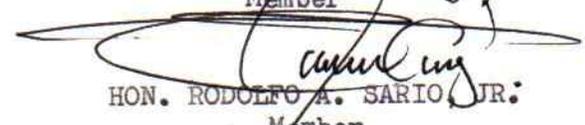
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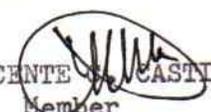
  
HON. ROMULO M. JAMILLA  
Member

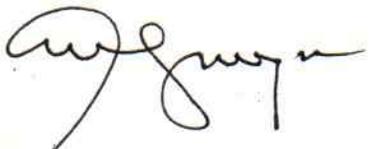
  
HON. QUINTIN S. MARAMOT, JR.  
Member

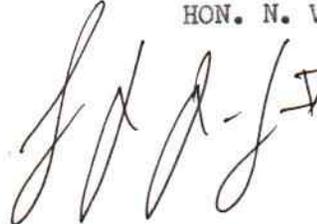
  
HON. VIRGILIO C. YUMANG  
Member

  
HON. CORASON F. AGARAP  
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HON. RODOLFO A. SARIO, JR.  
Member

  
HON. N. VICENTE CASTILLO  
Member



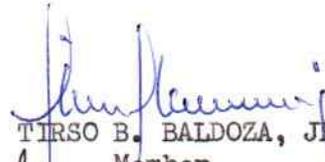


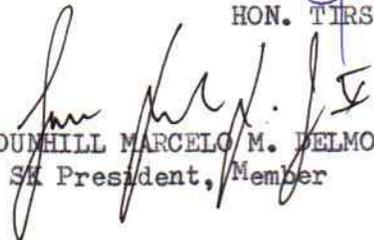

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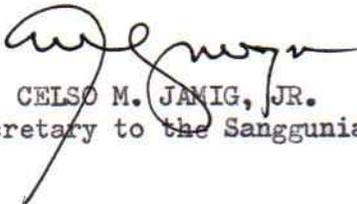
Office of the Sangguniang Bayan

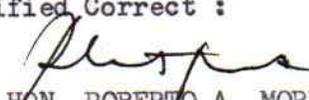
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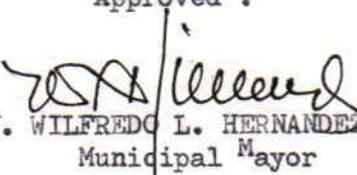
  
HON. PATRICIO J. OCAMPO  
Member

  
HON. TIRSO B. BALDOZA, JR.  
Member

  
HON. DUMHILL MARCELO M. DELMO V  
SA President, Member

Attested :   
CELSO M. JANIG, JR.  
Secretary to the Sanggunian

Certified Correct :  
  
HON. ROBERTO A. MORENTE  
Vice Mayor, Presiding Officer

Approved :  
  
HON. WILFREDO L. HERNANDEZ, SR.  
Municipal Mayor