



EXCERPTS FROM THE MINUTES OF THE 24th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON DECEMBER 16, 2013 AT VICE GOVERNOR REVILLA'S RESIDENCE, BACOR CITY, CAVITE

PRESENT:

Hon. Ramon Jolo B. Revilla III
 Hon. Edralin G. Gawaran
 Hon. Raul Rex D. Mangubat
 Hon. Ryan R. Enriquez
 Hon. Dino Carlo R. Chua
 Hon. Rolando S. Remulla
 Hon. Arnel M. Cantimbuhan
 Hon. Larry Boy S. Nato
 Hon. Teofilo B. Lara
 Hon. Marcos C. Amutan
 Hon. Ives Jayne A. Reyes
 Hon. Eileen R. Beratio
 Hon. Irena P. Bencito
 Hon. Felix A. Greco
 Hon. Mark Joseph T. Mupas

Vice Governor/Presiding Officer
 Majority Floor Leader
 Pro-Tempore
 Board Member, 1st District
 Board Member, 1st District
 Board Member, 2nd District
 Board Member, 3rd District
 Board Member, 3rd District
 Board Member, 4th District
 Board Member, 5th District
 Board Member, 5th District
 Board Member, 7th District
 Board Member, 7th District
 Board Member, 8th District
 CCL President

ABSENT:

Hon. Hermogenes C. Arayata III
 Hon. Conrado A. Viado

Board Member, 6th District
 Liga ng mga Brgy. Prov'l. Chapter
 Interim President

PROVINCIAL ORDINANCE NO. 2013-048

AN ORDINANCE REVISING PROVINCIAL ORDINANCE NO. 2005-007 – AN ORDINANCE PRESCRIBING SAFETY MEASURES AT ANY GASOLINE STATION WITHIN THE TERRITORIAL JURISDICTION OF THE PROVINCE OF CAVITE AND PROVIDING PENALTIES FOR VIOLATION THEREOF

Sponsored by: Hon. Raul Rex D. Mangubat

Co-Sponsored by: Hon. Rolando S. Remulla, Hon. Edralin Gawaran, Hon. Ryan R. Enriquez, Hon. Dino Carlo R. Chua, Hon. Arnel Cantimbuhan, Hon. Larry Boy S. Nato, Hon. Teofilo Lara, Hon. Marcos Amutan, Hon. Ives Jayne Reyes, Hon. Hermogenes C. Arayata III, Hon. Felix Greco, Hon. Eileen R. Beratio, Hon. Mark Mupas and Hon. Conrado Viado

WHEREAS, the Provincial Government of Cavite approved and enacted Provincial Ordinance No. 2005-007 on October 25, 2005 for the protection and welfare of the people of Cavite;

WHEREAS, Section 16 of the Local Government Code states that all local government units shall ensure and support, among others, the promotion of health and safety of its inhabitants.

WHEREAS, the ordinance aimed at providing measures that all gasoline stations shall institute to ensure the safety of the constituents but these requirements are not enough to attain the main cause of objective;

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 Trece Martires City



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WHEREAS, revision of the Provincial Ordinance No. 2005-007 is necessary to identify additional safety measures in any gasoline station in the Province of Cavite;

NOW THEREFORE, on motion of Hon. Raul Rex D. Mangubat, duly seconded by Hon. Edralin G. Gawaran and all the Member present, be it enacted, by the Sangguniang Panlalawigan in session duly assembled that:

Section 1 - Title. This Ordinance shall be known as "AN ORDINANCE REVISING PROVINCIAL ORDINANCE NO. 2005-007 - AN ORDINANCE PRESCRIBING SAFETY MEASURES AT ANY GASOLINE STATION WITHIN THE TERRITORIAL JURISDICTION OF THE PROVINCE OF CAVITE AND PROVIDING PENALTIES FOR VIOLATION THEREOF"

Section 2 - DECLARATION OF POLICY - It is hereby declared that the Provincial Government of Cavite shall give highest priority to the enactment of measures for the protection and safety of every Caviteños.

Section 3 - DEFINITION OF TERMS - As used in this Ordinance, the following terms shall mean:

1. Forecourt - refers to driveway within the gasoline station
2. Refueling - refers to the act of dispensing fuel to the motor vehicle
3. Pump Attendant - refers to a person who dispenses petroleum products
4. Mobile Phone - refers to cellular phone, pager and other communication devices electronically ignited
5. Engine - refers to engine motor of any vehicle
6. Motorbike - refers to any motorized two or three-wheeler vehicles including ATVs (all terrain vehicles)
7. Straddling - refers to the act of sitting on a motorcycle with the legs wide apart
8. Retail Stores - refers to stores illegitimately selling gasoline and other types of fuel in retail
9. Unauthorized Containers - refers to the containers, dirty containers and non-heat resistant containers not suitable for storing gasoline

Section 4 - REGULATED ACTS:

1. All gasoline stations shall put up signboards not less than 30 x 80 cm, in size containing the following measures:
 - a. No smoking within the forecourt area of the gasoline stations
 - b. Turn off your cellular phones while refueling
 - c. Switch off the engine of the motor vehicle before refueling
 - d. When refueling motorbikes, the motorist shall switch off engine and avoid straddling.

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- e. Unauthorized containers for storing gasoline is strictly prohibited
 - f. Open flame or cooking in the forecourt is strictly prohibited
 - g. Pump attendants shall not extend refueling service to any customer who will not follow or violate the safety measures stated in this Ordinance.
2. Operation of retail selling gasoline and other types of fuel in retail is prohibited.
 3. The gasoline station through its manager is directed to conduct seminars and trainings to its pump attendants and other personnel on how to manage customers and ensure compliance with the above mentioned safety measures.
 4. They shall keep and maintain in their premises at least four(4) pails of buckets of sand for fire protection in case of emergency or spillage of gasoline, oil and others.
 5. Spoiled Oil or grease shall not be allowed to remain on driveways or walkways.
 6. Water hose, air hose, water caps and all other objects shall be kept out of driveways and walkways.
 7. Children shall not be allowed to loiter or play around the gasoline service premises.
 8. All tank openings shall be locked except when in use.
 9. No gasoline cans, tins, drums or any other container whether filled or empty or funnel of description, shall be allowed to remain in or near the premises. No combustible materials shall be permitted within ten(10) feet from the tanks of the pumps.
 10. Gasoline shall be withdrawn from the tank without unnecessary exposure by a substantially constructed discharged divider of approved design, and its location shall be in a manner which will prevent the delivery or leaking of gasoline when not in use.
 11. No owner, operator, licensee or employee of any gasoline service station, aircraft refueling post, or public filling stations shall permit the dispensing of motor fuel in or upon such premises by a person except by such in the operation of such station, aircraft refueling post or public filling stations.
 12. The owner, operator or licensee of any gasoline service station shall not allow or permit utilization of such premises as a bus or jeepney terminal.
 13. The owner, operator or licensee of any gasoline service station shall provide first aid fire-fighting devices such as buckets, axes, flashlights, fire extinguisher of ten (10) units every fifty (50) gallons lubricating oil stored therein.
 14. No open flame or light shall be used in gasoline service stations. Only electric light shall be used. Electrical installation shall comply with the requirements of the latest edition of the Philippine Electrical Code.
 15. No flame producing device, barbeque pit or incinerator shall be located or used within twenty five (25) meters from any gasoline service station, dispensing pumps fuel pipes or gauge pipes for underground tank unless otherwise approved by the Fire Marshal of the Bureau Fire Protection

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Section 5 – ADMINISTRATIVE PROVISIONS:

1. The Municipal/City Mayors are hereby directed to implement the provisions of this ordinance and shall ensure that the basic safety pillars are implemented by all gasoline stations within the area of their jurisdiction.
2. All gasoline stations are required to secure business permit from the licensing offices of each LGU's after securing all other necessary permits like – environmental permit/certificate, sanitary permit, fire marshal certificate/permit – note that these permits will be given only after proper inspection from those offices.
3. All Local Government Units are hereby directed to inspect all gas stations and be advised for closure if violations from this ordinance are found.

Section 6 – PENALTY: For any violation in the provision of this ordinance, the following penalties shall be imposed:

For motorists:

- | | | |
|----------------|---|---|
| First Offense | - | a fine of P 2,000.00 |
| Second Offense | - | a fine of P 3,000.00 |
| Third Offense | - | a fine of P 5,000.00 or imprisonment of not exceeding one (1) year or both fine and imprisonment at the discretion of the court |

For gasoline stations:

- | | | |
|----------------|---|--|
| First Offense | - | a fine of P 2,000.00 and warning for suspension of business permit |
| Second Offense | - | a fine of P 3,000.00 and two-week suspension of business permit |
| Third Offense | - | a fine of P 5,000.00 and revocation of business permit |

Subsequent violation on the part of an establishment shall mean cancellation of business permit and immediate closure.

Section 7 - REPEALING CLAUSE – All ordinances, resolutions, executive issuances or rules and regulations or parts thereof, whose provisions are inconsistent with or contrary to the provisions of this Ordinance, are hereby deemed repealed, amended or modified accordingly.



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Section 8 – APPLICABILITY CLAUSE – The provisions of existing ordinances, resolutions or executive orders dealing with related subject matter, which is contradictory with this Ordinance, are hereby adopted as an integral part of this Ordinance.

Section 9 – SEPARABILITY CLAUSE - If, for any reason, any section or provision of this Ordinance is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

Section 10 - EFFECTIVITY – This Ordinance shall take effect after its approval.

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the foregoing ordinance duly enacted by the Sangguniang Panlalawigan of Cavite during its 24th Regular Session on December 16, 2013.

Michelle F. Alcid
MICHELLE F. ALCID
 Provincial Board Secretary

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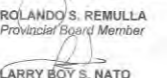
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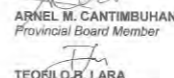

EDRALIN G. GAWARAN
Majority Floor Leader


RAUL REX D. MANGUBAT
Pro-Tempore

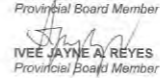

DINO CARLO R. CHUA
Provincial Board Member


RYAN R. ENRIQUEZ
Provincial Board Member


ROLANDO S. REMULLA
Provincial Board Member


ARNEL M. CANTIMBUHAN
Provincial Board Member



LARRY BOY S. NATO
Provincial Board Member

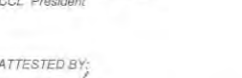

TEOFILO B. LARA
Provincial Board Member

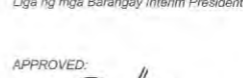

MARCOS C. AMUTAN
Provincial Board Member

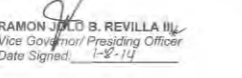

IVEE JAYNE A. REYES
Provincial Board Member

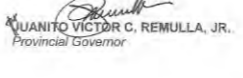

HERMOGENES C. ARAYATA III (Absent)
Provincial Board Member


FELIX A. GREPO
Provincial Board Member


EILEEN R. BERATIO
Provincial Board Member



IRENE P. BENCITO
Provincial Board Member



MARK JOSEPH T. MUPAS
CCL President


CONRADO A. VIADO (Absent)
Liga ng mga Barangay Interim President

ATTESTED BY:

APPROVED:


RAMON JOLO B. REVILLA III
Vice Governor/ Presiding Officer
Date Signed: 1-2-14


JUANITO VICTOR C. REMULLA, JR.
Provincial Governor