



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PO2003-72/
PO2003-129

77th Regular Session

ORDINANCE NO. SP- 1349 , S-2003

AN ORDINANCE PROHIBITING THE PURCHASE AND THE SELLING OR PEDDLING OF FUEL PRODUCTS BY PERSONS OTHER THAN THE AUTHORIZED GASOLINE DEALERS/STATIONS AND PROVIDING PENALTIES THEREOF.

Introduced by Councilors WENCEROM BENEDICT C. LAGUMBAY, XYRUS L. LANOT, VICTOR V. FERRER, JR., ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ERIC Z. MEDINA, JORGE L. BANAL, JULIAN M.L. COSETENG, DANTE M. DE GUZMAN, ANTONIO E. INTON, JR., RESTITUTO B. MALAÑGEN and RICARDO R. DEL ROSARIO.

WHEREAS, R.A. 8749 (The Philippine Clean Air Act of 1999), Chapter 1, Article 1 Section 2 states that: "The State shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of local government units to deal with environmental problems;"

WHEREAS, based on air quality data, exhaust and smoke emissions from motor vehicles is one of the major contributor to air pollution in Metro Manila;

WHEREAS, Quezon City has the most number of motorized tricycles operating within Metro Manila;

WHEREAS, in order to spend less, tricycle drivers buy the cheaper 2T oil sold by roadside sellers/vendors, which are used and recycled oil;

WHEREAS, the recycled 2T oil bring about higher hydrocarbon (HC) emission than those using motor oil sold by authorized fuel dealers;

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WHEREAS, these roadside fuel sellers/vendors sell fuel products that are highly flammable that may cause undue accidents;

WHEREAS, Section 458 (a) (1)(vi) of RA 7160 or the Local Government Code empowers the City Council to protect the environment and impose appropriate penalties for acts which endangers the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes or of ecological imbalance.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. No individual residing within the jurisdiction of Quezon City is allowed to sell nor peddle any fuel products unless they are authorized or licensed to operate as fuel product dealer.

SECTION 2. Motorized tricycle drivers and operators and other motor vehicle-owners are prohibited to buy/purchase fuel products from roadside sellers/vendors.

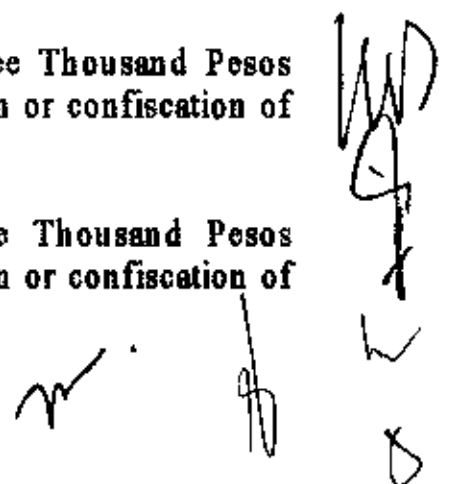
SECTION 3. Violation of this Ordinance shall be punishable as follows:

3.1. For unauthorized sellers/vendors of fuel products:

First Offense - a penalty of Two Thousand Pesos (P2,000.00) and closure from operation or confiscation of products

Second Offense - a penalty of Three Thousand Pesos (P3,000.00) and closure from operation or confiscation of products

Third Offense - a penalty of Five Thousand Pesos (P5,000.00) and closure from operation or confiscation of products


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SECTION 4. Any ordinance or provisions thereof, rules, regulations and other issuances not consistent with this Ordinance are hereby repealed and/or modified accordingly.

SECTION 5. This Ordinance shall take effect immediately upon its approval.

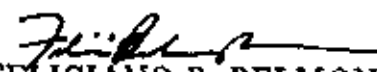
ENACTED: October 7, 2003.

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary



JORGE L. BANAL
President Pro-Tempore
Acting Presiding Officer

APPROVED: Nov. 28, 2003


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on October 7, 2003, was finally PASSED on Third Reading by the City Council on October 21, 2003


EUGENIO V. JURILLA
City Council Secretary