

**MUNICIPAL ORDINANCE NO. 2020-11**  
**Series of 2020**

AN ORDINANCE PROVIDING CERTAIN RULES AND REGULATIONS IN THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF TECHNOLOGY SOLUTION MACHINE RETAIL OUTLET IN THE MUNICIPALITY OF BONGABONG

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WHEREAS, the business of retailing liquid fuels is authorized and regulated by the Department of Energy (DOE);

WHEREAS, the DOE promulgated Department Circular No. DC 2017-11-0011 dated November 22, 2017 to prescribe rules and regulations to govern the business of retailing liquid fuels;

WHEREAS, in the said department circular, there are matters that may be regulated by local government units;

WHEREAS, there are investors who want to put up technology solution machine retail outlets in the Municipality;

WHEREAS, for the guidance and compliance of those who intend to establish, operate and maintain technology solution machine retail outlets in the Municipality and for the safety and security of the public, there is necessity to prescribe rules and regulations;

NOW THEREFORE, be it enacted by the Sangguniang Bayan in session duly assembled, that:

**Section 1. Title.** This Ordinance shall be known as “An Ordinance Prescribing Certain Rules and Regulations in the Establishment, Operation and Maintenance of Technology Solution Machine Retail Outlets in the Municipality of Bongabong”;

**Section 2. Coverage.** This Ordinance shall apply to technology solution machine types of retailers of liquid fuels, including those for own use that are allowed by the DOE already established or to be established in the Municipality of Bongabong;

**Section 3. Allowable Business.** Technology solution machines as authorized by the DOE are allowed to establish and operate in this Municipality;

**Section 4. Mayor’s Permit or Business Permit.** Prior to operation, any person who engages in technology solution machine retail outlet business shall secure first mayor’s permit or business permit from the Office of the Municipal Mayor. Those who are

already operating but have not yet secured mayor's permit or business permit, shall, within thirty (30) days from the effectivity of this Ordinance, comply with this requirement;

**Section 5. Additional regulations for Technology Solution Machines.** In addition to the requirements prescribed by the DOE and by the Municipal Government of Bongabong for this type of retailer of liquid fuels, the following regulations shall be observed:

- a) No Technology Solution Machine retail outlet shall be established in barangays of Poblacion, Ipil, Aplaya, Bagong Bayan I and Bagong Bayan II;
- b) The structure must comply with the specifications prescribed by the Municipal Engineering Office;

**Section 6. Sealing and Calibration of Dispensing Pump.** To ensure that technology solution machines retail outlets remain accurate, calibration shall be mandatory. The municipal treasurer's office shall calibrate all dispensing pump used in retail outlets to dispense fuels sold to the public once every ninety (90) days and after calibration shall seal the same. The fee for calibration shall be as prescribed in the existing revenue ordinance of the municipality;

**Section 7. Penal Provisions.** Without prejudice to the penalties prescribed by the Department of Energy, any violation of the provision of this Ordinance shall render the violator liable for fine of P2,500.00 in addition, the permit shall be revoked.

**Section 8. Repealing Clause.** All ordinances, resolutions, other issuances, and their provisions inconsistent or contrary with this Ordinance is hereby repealed or modified accordingly.

**Section 9. Separability Clause.** If any provision of this Ordinance is declared unlawful or unconstitutional, any provision not affected thereby shall remain in full force and effect.

**Section 10. Effectivity Clause.** This Ordinance shall take effect after compliance with the publication or posting requirement.

Certified true:

**Atty. EDUARDO M. MAGSINO**  
Secretary to the Sanggunian

Certified to have been approved:

**Hon. RICHARD S. CANDELARIO**  
Vice-Mayor/Presiding Officer

Approved:

**Hon. ELEGIO A. MALALUAN, O.D.**  
Municipal Mayor  
Date: \_\_\_\_\_