



Republic of the Philippines

CITY OF BACOR

Province of Cavite

OFFICE OF THE SANGGUNIANG PANLUNGSOD

PRESENT:

HON. REYNALDO D. PALABRICA ----- City Councilor/
President Pro-Tempore/
Acting Presiding Officer

DISTRICT I

HON. AVELINO B. SOLIS ----- Acting Vice Mayor
HON. EDWIN G. GAWARAN ----- City Councilor
HON. MIGUEL N. BAUTISTA ----- City Councilor
HON. ROWENA BAUTISTA-MENDIOLA ----- City Councilor
HON. REYNALDO M. FABIAN ----- City Councilor
HON. VENUS D. DE CASTRO ----- City Councilor

DISTRICT II

HON. HERNANDO C. GUTIERREZ ----- City Councilor
HON. GAUDENCIO P. NOLASCO ----- City Councilor
HON. LEANDRO A. DE LEON ----- City Councilor
HON. BAYANI M. DE LEON ----- City Councilor
HON. ROBERTO R. JAVIER ----- City Councilor

HON. VICTORIO L. GUERRERO, JR. ----- City Councilor
(ABC-Pres.)

CITY ORDINANCE NO. CO 5-2014
Series of 2014

AN ORDINANCE AMENDING CITY ORDINANCE NO. 2014-008
ALSO KNOWN AS THE "ANTI-MOTOR VEHICLE NOISE POLLUTION
ORDINANCE OF 2014".

Authored by **Hon. Reynaldo D. Palabrica**

Sponsored by: **Hon. Miguel N. Bautista, Hon. Rowena Bautista-Mendiola, Hon. Venus de Castro, Hon. Bayani M. de Leon, Hon. Leandro A. de Leon, Hon. Reynaldo M. Fabian, Hon. Edwin G. Gawaran, Hon. Victorio L. Guerrero, Jr., Hon. Hernando C. Gutierrez, Hon. Robert R. Javier, Hon. Gaudencio P. Nolasco, and Hon. Avelino B. Solis.**

Attested by:

Shirley S. Lazo

Sup. Admin. Officer

Approved by:

HON. CATHERINE S. EVARISTO

Acting City Mayor

Approved by:

HON. STRIKE B. REVILLA

City Mayor

City Ordinance No. CO 5-2014, 16 June 2014

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WHEREAS, there is a need to amend the said ordinance to make it more effective in eradicating noise pollution caused by motor vehicles;

WHEREAS, pursuant to Section 7 of the subject Ordinance, the City Mayor is empowered to direct the formulation of the implementing rules and guidelines of such Ordinance, provided that the said rules and guidelines should not be contrary to the provisions thereof. Notwithstanding the clear meaning of the said provision, many motorists still question the validity of the implementing rules and guidelines that the City Mayor promulgated following the date of effectivity of City Ordinance No. 2014-008 leading to altercations between erring motorists and the traffic management officers tasked to implement the said ordinance.

WHEREAS, in order to prevent future misunderstanding implementing rules and guidelines shall clarify and explain the provisions of the subject Ordinance in order to achieve harmony or congruity with other existing laws and rules and regulations;

NOW, THEREFORE, upon motion of Hon. Bayani M. De Leon duly approved by the Sangguniang Panlungsod of the City of Bacoor in regular session assembled that:

Section 1. Title. - This shall be known as the **"Revised 2014 Anti-Motor Vehicle Noise Pollution Ordinance of the City of Bacoor"**.

Section 2. - Declaration of Policy - (a) It is the declared policy of the State to promote the general welfare and protect the environment to attain sustainable development;

(b) The City Government of Bacoor shall ensure and support, as well as preserve the comfort and convenience of its inhabitants and deal with environmental problems within its territorial jurisdiction;

(c) The City Government of Bacoor, in compliance with Section 1.2 of DENR DAO — 30 Series of 1992, otherwise known as the "Guidelines for the Transfer and Implementation of DENR Functions Devolved to the Local Government Units", shares with the national government, particularly the DENR, the responsibility in the sustainable management and development of the environment and natural resources within

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its territorial jurisdiction, including the abatement of noise and other forms of nuisance as defined by law;

(d) The City Government of Bacoor considers noise pollution or unabated noise as a public nuisance disturbing not only the auditory nerves but also even the emotional and psychological well-being of persons;

(e) The City Government of Bacoor considers the excessively loud noise such as those arising from motor vehicles, as a cause of irritation in a community and within the neighborhood; and

(f) The City Government of Bacoor recognizes that it is a right of every human being to have a peaceful environment and to have a good night's sleep—a right that should be upheld by the State.

Section 3. Definition of Terms. - The following terms, as

used in this Ordinance, shall mean:

a) **Decibel** is a measure of sound level and is equal to 10 times the logarithm of the square of a measure sound pressure level (SPL) divided by a reference sound pressure. The sound pressure is given in microbars, with the reference pressure taken as 0.0002 microbars that is generally the minimum the human ear can sense.

b) **Decibel "A" (dBA)** is the measure of the total sound level when using the "A" level network.

c) **Emergency** means a public calamity or an exposure of any person or property to imminent danger.

d) **Level** means the total sound level of all noise as measured with a sound level meter using "A" weighing network. The unit of measurement is the Decibel "A"

e) **Motor vehicle** shall refer to any transport vehicle that runs on an engine such as motorcycles, tricycles, motorized pedicabs, *kuliglig*, cars, jeepneys, trucks, and other similar modes of transportation;

f) **Muffler** – a part of a motor vehicle's exhaust system, serving to muffle the sound of the vehicle.

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g) **Noise** means as erratic, intermittent, or statistically random oscillation of sound waves, or any unwanted sound.

h) **Noise-sensitive Zones** are areas within the City of Bacoor where noise levels shall be regulated under this Ordinance in order to prevent noise pollution and preserve public tranquility.

i) **Noise pollution** shall refer to any loud or excessively disturbing noise that can disturb one's sleep, damage one's hearing, cause vexation, or any sound that exceeds 90 decibels.

j) **Sound** means an oscillation in pressure, stress particle displacement, particle velocity, etc., in a medium whose internal forces (e.g. elastic, viscous) of the superposition of such propagated oscillation which evokes an auditory sensation.

k) **Sound Level Meter** means any instrument including a microphone, an amplifier, an output meter, and frequency weighing networks for the measurement of noise and sound level.

l) **Sound Pressure Level (SPL)**, in decibels means sound level that is 20 times the logarithm to the base 10, of the ratio of the pressure of the sound to the reference pressure, 2×10^{-4} microbars.

m) **Sound Reproduction Device** means any device intended primarily for the production or reproduction of sound including, but not limited to, any muffler, car stereo, radio receiver, or sound amplifying system.

n) **Sound Signal Device** means a device designed to produce a sound signal when operated, including but not limited to, any claxon, air horn, whistle, boil, gong, siren, but not as an emergency signal device.

o) **Unnecessary Noise** means any excessive or unusually loud sound, or any sound that annoys, disturbs, injures or endangers the comfort, repose, health, peace, or safety of a person, or which poses injury to plant or animal life, or damage to property or business.

p) **Weighing Network** means the frequency response of a sound level meter, the purpose of which is to provide a means of compensating for variation in the response of the human ear to frequency and intensity.

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Attested by:

Shielan Lazo

Sep. Admin. Officer

Approved by:

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City Councilor - ABC Pres.

Attested by:

Shirley S. Lazo

Sap. Admin. Officer

Approved by:

HON. CATHERINE S. EVARISTO
Acting City Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

Section 4. Ban Against Noise Pollution Produced By Motor Vehicles. – The City of Bacoor prohibits the creation of noise pollution by any motor vehicle within its territorial jurisdiction.

Section 5. Prohibited Acts. – The following shall constitute as prohibited acts punishable under the subject Ordinance:

5.1. No motor vehicle without a muffler, or that has a muffler different from its original factory standard muffler, or that has a modified or damaged muffler and produces excessively loud noises, or that was designed to create noise pollution, shall be allowed to operate within the City of Bacoor. A digital image of the vehicle showing that it has no muffler or that it has a modified or damaged muffler shall constitute proof of violation of this provision.

5.2. No person shall operate, use, or cause to operate any sound reproduction device for any of the following purposes:

5.2.1. To operate any motor vehicle, which produces excessively loud and disturbing noise while parked on any public street, park, place, or other structure within the City of Bacoor, except incidental sounds for which a permit has been issued;

5.2.2. To operate any motor vehicle that creates unnecessary noise, except when the noise is a result of the operation or use of any claxon or air horn installed in a motor vehicle to signal imminent danger; or

5.2.3. No person shall operate a motor vehicle that causes or permits the creation of any unnecessary noise through the use of any device on any street adjacent to churches, hospitals, schools, and courts of justice or places of residence.

Section 6. Noise-Sensitive Zones. – The following areas are considered as noise-sensitive zones within the territorial jurisdiction of the City of Bacoor:

6.1. Class A - a section or contiguous area that requires quietness, such as areas within 100 meters from school sites, churches, hospitals, courts of justice, funeral homes, special homes for the aged and other similar institutions.



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6.2. Class B - a section or contiguous area that is primarily used for residential purposes.

6.3. Class C - a section or contiguous area that is primarily a commercial and industrial area.

Section 7. Allowable Noise Levels. - The maximum allowable noise levels in all areas shall be as indicated below:

Category of Area	Morning 5:01-8:00 AM	Daytime 8:01 AM- 6:00 PM	Evening 6:01 -10:00 PM	Nighttime 10:01PM - 5:00 AM
A	70 db	89 db	80db	70 db
B	70 db	89 db	80 db	70 db
C	85 db	99 db	85 db	70 db

Section 8. Measurement of Noise Level. -

8.1. Noise level shall be measured by a standard sound level meter that meets the specifications of the American National Standards Institute (ANSI) S1.4-1971, or other specifications accepted by the City Health Office. The weighing network with "A" characteristics shall be used for measurement.

8.2. The method of measurement of noise shall be as follows:

8.2.1. The sound level reading shall be obtained by a sound level meter on a 45-degree angle with respect to the longitudinal axis of the muffler and it shall be at least 0.5 meter away from the tip of the pipe. The sound level shall be the figure indicated where the indicator shows no fluctuations or only small fluctuations.

8.2.2. Where the indicator of a sound level meter records periodic or intermittent fluctuations with the highest peaks almost regular, the average figure shall be recorded.

8.2.3. Where the indicator of a sound level meter records the higher end of the 90 percent range, the average of the levels shall be recorded.

8.2.4. The result of the sound level reading shall be printed or otherwise documented by the

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Attested by:

Shirley Lazo

Sep. Admin. Officer

Approved by:

HON. CATHERINE S. EVARISTO
Acting City Mayor

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City Mayor



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apprehending officer to constitute proof of violation of this provision.

Section 9. Penalties. – The following penalties shall be imposed against anyone who shall violate the subject Ordinance:

First offense	Fine of Php2,500.00
Second offense	Fine of Php3,500.00
Third offense	Fine of Php5,000.00
Fourth offense	Fine of Php5,000.00 or

imprisonment of not more than ten (10) days or both upon the discretion of the proper court of law.

Section 10. Separability Clause. – If, for any reason or reasons, any part of the provisions of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.

Section 11. Repealing Clause. –All Ordinances, Resolutions, Circulars, Memorandums or Rules and Regulations inconsistent with the provision of this Ordinance are hereby repealed and modified accordingly.

Section 12. Effectivity Clause. – This Ordinance shall take effect immediately upon its posting in at least three (3) conspicuous places within the City of Bacoor and after it has been published once in a newspaper of general circulation within the Province of Cavite.

Approved this 16th day of June 2014 at the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance has been duly approved and the contents hereof are true and correct.

Certified by:

HON. REYNALDO D. PALABRICA
City Councilor/ President Pro-Tempore/
Acting Presiding Officer

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Supervising Admin. Officer

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