



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 129TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON JUNE 6, 2022 HELD AT THE SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

Hon. Benjamin C. Serrano, Jr., Board Member
Hon. Jomar L. Gaza J.D., Board Member
Hon. Reynaldo T. Ibe, Jr., Board Member
Hon. Godofredo B. Galicia, Jr., M.D., Board Member
Hon. Maria Khristine G. Dela Fuente, Board Member



SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member
Hon. Manuel N. Beltran, Board Member
Hon. Edgardo P. Calimbas, Board Member
Hon. Jose C. Villapando, Sr., Board Member
Hon. Romano L. Del Rosario, Board Member

Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
Hon. Doroteo M. Austria, Board Member (FABC President)
Hon. Precious D. Manuel, Board Member (SKF President)
Hon. Rosita N. Sison, Board Member (IPM Representative)

ABSENT:

None

PROVINCIAL ORDINANCE NO. 13 SERIES OF 2022

PROVINCIAL ANTI-NOISE POLLUTION ORDINANCE

Sponsored by: Hon. Romano L. Del Rosario

WHEREAS, the Province of Bataan is known to be a quiet and peaceful place;

WHEREAS, the Province of Bataan has occasionally experienced unwanted, unnecessary, and any man-made sound or noise pollution, that disturbs the people, particularly during normal rest periods in residential areas and public streets;

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"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

WHEREAS, the disturbance is partly caused by transportation sources, principally motor vehicles like motorcycles and other motor vehicles that make use of specialized, modified, or conked-out mufflers or exhaust systems and/or those that habitually blow their vehicle's horns and by unnecessarily accelerating their engines along the streets or roads. Other sources of disturbing noises include uncontrolled operation of radio, stereo, karaoke, television, and videoke;

WHEREAS, all persons have the right to have a quiet and peaceful neighborhood;

WHEREAS, excessive noise can affect blood pressure, hypertension, and heart disease, which can lead to heart attacks and mortality from cardiovascular disease. Children's cognition and health are also affected as child behavior studies reveal that noise levels influence children's performance, which can affect their studies;

WHEREAS, a World Health Organization study reveals that excessive noise seriously harms human health and interferes with people's daily activities at school, at work, at home and during leisure time, disturbs sleep, causes cardiovascular and psychophysiological effects that may reduce performance and provoke annoyance responses and changes in social behavior;

WHEREAS, to allow worshippers, students, teachers, and workers to focus on their activities, schools and places of worship should be kept free of annoying and disruptive noise in or around their premises;

WHEREAS, noise pollution is a hazard consisting of annoying and harmful noise that would continue to affect people's health if not regulated or eradicated;

WHEREAS, the general welfare clause of the Local Government Code of 1991 provides that local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested in them. They shall also discharge the functions and responsibilities of national agencies and offices that have been devolved to them pursuant to the same code. Local Government units shall likewise exercise such other powers and discharge such other function and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities;

NOW, THEREFORE, BE IT ENACTED BY THE SANGGUNIAN PANLALAWIGAN OF BATAAN IN REGULAR SESSION ASSEMBLED:

SECTION 1. OBJECTIVES. The main objective of this Ordinance is to minimize, control, and eliminate the level of noise pollution that is considered an annoyance that injures health, endangers life, offends the senses, or produces discomfort for the Bataan community.

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall mean:

1. **Emergency work** - any work or action necessary to deliver essential public services including, but not limited to, repairing water, electricity, sewer facilities, or public transportation facilities, removing fallen trees on public rights-of-way, or abating life-threatening conditions and construction of roads.
2. **Motorist** - driver or registered owner or one who rents an automobile or motor vehicle.

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3. **Muffler** - a sound dissipative device or system for abating the sound of escaping gases on equipment or vehicles where such a device is part of the normal configuration of the equipment or vehicle.
4. **Motor Vehicle** - any vehicle that is propelled other than by human or animal power on land, which includes motorcycles, tricycles, cars, jeepneys, trucks, and buses.
5. **Noise Pollution** - an excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.
6. **Excessive Noise** - any noise exceeding 70 decibels (dB).

SECTION 3. PROHIBITION AND UNLAWFUL ACTS. It shall be unlawful for any person to:

- a. Use and operate specialized, modified, or conked-out mufflers or exhaust systems of motor vehicles that produce abnormally loud or disturbing noises;
- b. Habitually and unnecessarily blow one's vehicle's horns above the normal, adequate, and tolerable sound level for more than three seconds;
- c. Use and play excessively amplified music from motor vehicles;
- d. Unreasonably rev-up or accelerate the engine of a motor vehicle while traversing a road or street in a residential zone, or along school or religious buildings or structures;
- e. Make or produce any excessive noise from any dwelling or gathering and celebration, including excessive noise emitted from a house, garden, yard, or any section thereof, from 10 o'clock in the evening until 7 o'clock in the morning;
- f. Play loud music within residential zones or places such as videoke and karaoke bars or places located in a residential area. In such a manner as to create a noise disturbance or annoyance across to or nearby residential house, commercial center or place, school or a place of worship; and
- g. Produce muffler.

SECTION 4. PERSONS LIABLE. The following persons shall be liable for the abovementioned acts:

1. Drivers or motorists, including the owners or operators of public vehicles, in connection with items a, b, c, d, and e of Section 3 hereof.
2. Any person in connection with items d, e, f, and g, including the owners or operators of the tools and equipment, and of the nightspot, videoke or 'karaoke, bar and restaurants in a residential area.

SECTION 5. EXEMPTIONS. Parades and other public events, e.g., weddings, baptisms, political campaigning activities, as well as school or government-sanctioned celebrations or activities, and Christmas and New Year celebrations are exempt from the prohibitions in Section 3 of this ordinance. Sounds created by fire alarms, emergency equipment, or the installation or repair by a public entity of essential utilities are likewise covered by the exemption.

SECTION 6. PENALTIES. Violators of this Ordinance shall be meted the following penalties:

- First Offense - Warning
- Second Offense - a fine of ₱ 1,000.00

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Third and Succeeding - a fine of ₱ 3,000.00
Offense

Section 7. Separability Clause. If any provision or portion of a provision of this ordinance is held to be not in accordance with the 1987 Philippine Constitution or relevant laws, or otherwise declared invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall remain valid and enforceable.

Section 8. Repealing Clause. All or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

Section 9. Effectivity. This ordinance shall take effect upon compliance with the publication requirement under the Local Government of 1991.

ENACTED this 6th day of June 2022, Balanga City, Bataan.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

ATTY. MARK LORENZ C. QUEZON
Secretary to the Sangguniang Panlalawigan

BENJAMIN C. SERRANO, JR.
Board Member

MARIA MARGARITA R. ROQUE
Board Member

JOMAR L. GAZA J.D.
Board Member

MANUEL N. BELTRAN
Board Member

REYNALDO T. IBE, JR.
Board Member

EDGARDO P. CALIMBAS
Board Member

GODOFREDO B. CALICIA, JR., M.D.
Board Member

JOSE C. VILLAPANDO, SR.
Board Member

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Provincial Governor


MARIA KRISTINE G. DELA FUENTE
Board Member


ROMANO L. DEL ROSARIO
Board Member


NOEL JOSEPH L. VALDECAÑAS
Board Member
(PCL President)


PRECIOUS D. MANUEL
Board Member
(SKF President)


DOROTEO M. AUSTRIA
Board Member
(FABC President)

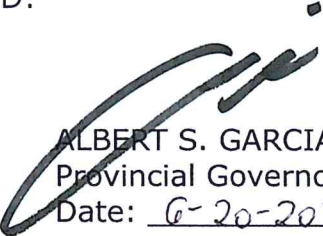

ROSITA N. SISON
Board Member
(IPM Representative)



ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor & Presiding Officer

APPROVED:


ALBERT S. GARCIA
Provincial Governor
Date: 6-20-2022







