



Republic of the Philippines
Provincial Government of Palawan
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
City of Puerto Princesa

**EXCERPT FROM THE MINUTES OF THE 58TH REGULAR SESSION OF THE
44TH SANGGUNIANG PANLALAWIGAN HELD ON AUGUST 22, 2023
AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL,
CITY OF PUERTO PRINCESA**

PRESENT:

Hon. Leoncio N. Ola,	<i>Vice Governor and Presiding Officer</i>
Hon. Winston G. Arzaga,	<i>Sangguniang Panlalawigan Pro-Tempore</i>
Hon. Roseller S. Pineda,	<i>Floor Leader</i>
Hon. Marivic H. Roxas,	<i>Assistant Floor Leader- 2nd District</i>
Hon. Maria Angela V. Sabando,	<i>S.P. Member – 1st District</i>
Hon. Nieves C. Rosento,	<i>S.P. Member – 1st District</i>
Hon. Ryan D. Maminta,	<i>S.P. Member – 2nd District</i>
Hon. Al-Nashier M. Ibba,	<i>S.P. Member – 2nd District</i>
Hon. Ariston D. Arzaga,	<i>S.P. Member – 2nd District</i>
Hon. Al-Shariff W. Ibba	<i>S.P. Member – PCL Federation President</i>
Hon. Arnel P. Abrina,	<i>S.P. Member – IPM Representative</i>

ABSENT:

Hon. Rafael V. Ortega Jr.,	<i>Assistant Floor Leader – 3rd District</i>
Hon. Juan Antonio E. Alvarez,	<i>S.P. Member – 1st District</i>
Hon. Ferdinand P. Zaballa,	<i>S.P. Member – ABC Federation President</i>
Hon. Anyatika R. Rodriguez,	<i>S.P. Member – SK Federation President</i>

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PROVINCIAL ORDINANCE NO. NO. 3276
Series of 2023

PALAWAN NOISE-POLLUTION PREVENTION, CONTROL AND REGULATION

Authored by:

HON. ROSELLER S. PINEDA AND HON. RYAN D. MAMINTA

Co-Authored by:

**HON. AL-NASHIER M. IBBA, HON. MARIVIC H. ROXAS, HON. ARISTON D. ARZAGA,
HON. MARIA ANGELA V. SABANDO, HON. NIEVES C. ROSENTO,
HON. FERDINAND P. ZABALLA, HON. ANYATIKA R. RODRIGUEZ,
HON. ARNEL P. ABRINA, AND HON. WINSTON G. ARZAGA**

WHEREAS, World Health Organization asserts that environmental noise is among the top environmental risks to health and thus excessive noise can affect blood pressure, hypertension, and heart disease, which can lead to heart attacks and mortality from cardiovascular disease;

WHEREAS, excessive noise pollution that causes annoyances, disturbances, and injuries and endangers the comfort, health, peace and safety is violative of Article 682 of the Civil Code: “every building or piece of every land is subject to the easement which prohibits the proprietor or possessor from committing nuisance through noise, jarring, offensive odor, smoke, heat, dust, water, glare and other causes”;

WHEREAS, motor vehicles and or motorists 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 is one of the sources of noise pollution and in addition;

WHEREAS disturbing noises area also coming from uncontrolled operation of radio, television stereo, and karaoke, videoke sound systems aggravates this noise pollution situation;

WHEREAS, various child behavior studies says that continuous exposure of Children to noise pollution, especially during their critical period of development may affect their acquisition of speech, language, and language-related skills, such as reading and listening;

WHEREAS, noise pollution or disruptive noise in or around the school premises or those places of online classes and places of worship if not regulated or totally eradicated will harmfully affect the, worshippers, students, teachers, and workers to focus on their activities;

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;”

NOW THEREFORE, on motion of Honorable Ryan D. Maminta duly seconded, be it

BE IT ENACTED BY THE SANGGUNIANG PANLALAWIGAN IN SESSION THAT:

SECTION 1. TITLE. This Ordinance shall be known as the Noise-Pollution prevention control and Regulation Ordinance.

SECTION 2. OBJECTIVE. The main objective of this Ordinance is to regulate and control noise producing and generating sources that causes discomfort in the lives of Palawenyos.

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

1. **Excessive/disruptive Noise** - any noise exceeding 70 decibels (dB).
2. **Decibel**- a unit used to measure the intensity of a sound. Sound is measured in decibels (dB).It is about **30 dB, when someone whispers; above normal conversation is at around 60 dB, and a motorcycle engine running is about 95 dB. Noise above 70 dB** over a prolonged period of time may start to damage human hearing. Loud noise above 120 dB can cause immediate harm to human ears.
3. **Special/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.

4. **LGUs and LCEs**- The local government units of the Province, Municipalities and Barangay headed by its Local Chief Executives Governor, Mayor, and Punong Barangay respectively.
5. **Motorists** - drivers or registered owner or one who rents an automobile or motor vehicle.
6. **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.
7. **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.
8. **Noise Pollution** - also known as noise disturbance; is the disturbing or excessive noise level and that which can still be heard after a distance of at least 50 feet from the source. an excessive sound that may jeopardize the health, welfare, or safety of the citizens or degrade the quality of life.
9. **Online class**- is a course conducted over the internet whether in their homes or in any designated place for learning. They are generally conducted through a learning management system, in which students can view their course syllabus and academic progress, as well as communicate with fellow students and their course instructor.
10. **Video Karaoke Machine/Unit** – Any equipment or musical contrivance comprising of a television set or monitor, video player, amplifier, speakers, Bluetooth wireless Speakers, microphones and any sound system used for sing-along whereby lyrics of a song with accompanying visual backdrops are seen on a monitor or screen.

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 1 to 7 of Section 4 hereof.
2. Any person, 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. PROHIBITIONS.

1. The use and operation of videoke, karaoke, and other audio/sound system in public streets or road sides may only be allowed only from 10:00 am until 9:00 pm. No person shall make, or cause to be made any excessive, disturbing, unreasonable and unnecessary sound from videoke machine or other sound system such as karaoke, radio, bluetooth wireless speaker, television sets, amplified musical instrument, drums, loudspeaker, or other sound producing device in such manner or with such volume so as to annoy the quiet and comfort of a reasonable person of normal sensitivities in any dwelling or residence; or with louder volume than is necessary for convenient hearing of the persons who are in the place in which such device is operated,
2. Relative to the issuance of permit, the following factors incident to such sound may be considered, if it will be excessive, disturbing, unreasonable and/or unnecessary, (a) Time and Day (b) Proximity to residential areas, schools or place of worship, (c) Whether the sound is recurrent, intermittent or constant. (d) Whether the sound has been enhanced in volume or range by the type of electronic or mechanical means; and (e) The character of the area.

3. Use and play excessively amplified music from motor vehicles;
4. Use and operate specialized, modified, or conked-out mufflers or exhaust systems of motor vehicles that produce abnormally loud or disturbing noises; Habitually and unnecessarily blow one's vehicle's horns above the normal, adequate, and tolerable sound level for more than three seconds.
5. Unreasonably accelerating the engine of a motor vehicle while traversing a road or street in a residential zone, or along school or religious worship buildings or structures;

SECTION 6. EXEMPTIONS. Parades and other public events, e.g., weddings, baptisms, duly approved political campaigning activities, as well as school or government-sanctioned celebrations or activities, and Christmas and New Year celebrations are exempted from the prohibitions of this ordinance. Moreover, covered by the exemption are those Sounds created by fire alarms, emergency equipment, or the installation or repair by a public entity of essential utilities

SECTION 7. ENFORCEMENT The PDRRMO, With the Concurrence All Local Chief executives of the Municipalities under the jurisdiction of Palawan will jointly develop the Implementing rules of Regulation for this ordinance

SECTION 8. PENALTIES. (a) Any person found violating the provisions of this ordinance shall be penalized by a fine of: 1st Offense - One Thousand Pesos (Php 1,000) 2nd Offense - Two Thousand Pesos (Php 2,000) 3rd Offense – Two Thousand Five Hundred Pesos (Php 2,500) (b) Any business found violating the provision under Section 5 will be penalized as follows: 1st Offense - A fine of One Thousand Five Hundred Pesos (Php 1,500.00); 2nd offense – Two thousand Five Hundred Pesos (Php2,500.00) and 3rd offense Three Thousand Five Hundred Pesos (Php3,500.00).

SECTION 9. POSTING OF NOTICE. This Ordinance shall be conspicuously displayed in conspicuous and public places in the LGUs for maximum dissemination.

SECTION 10. SEPARABILITY CLAUSE – If any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, other sections or provisions not affected thereby shall continue to be in full force and effect.

SECTION 11. REPEALING CLAUSE – All ordinances, resolutions, local rules and regulations which are inconsistent with or contrary to the provisions of this Ordinance are hereby repealed of modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE- This Ordinance shall take effect after its publication in a newspaper of general circulation.

SO ORDAINED.

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I CERTIFY to the correctness of the above-quoted Provincial Ordinance.


ANGELA RODRIGUEZ-PEÑA
Secretary to the Sanggunian

ATTESTED:


LEONCIO N. OLA
Vice Governor and Presiding Officer

APPROVED:

V. DENNIS M. SOCRATES
Governor

Date

This document is not valid without Sangguniang Panlalawigan Seal

VDMS/LNO/ARP/epp-8/31/23

OFFICE OF THE SECRETARY
SANGGUNIANG PANLALAWIGAN
PROVINCE OF PALAWAN

Date Returned: **SEP 26 2023**
Decreed Approved Pursuant To Sec. 54
of The Local Gov't. Code of 1991


RAYMUNDO G. PADRONE S. JR.
Supervising Administrative Officer