

PROPOSED CITY ORDINANCE NO. ____
Series of 2024

AN ORDINANCE PROHIBITING THE GENERATION OF EXCESSIVE NOISE IN OR NEAR RESIDENTIAL ZONES, SCHOOLS, COLLEGES, UNIVERSITIES, HOSPITALS, AND PLACES OF WORSHIP WITHIN THE CITY OF BACOR, PROVIDING PENALTIES FOR VIOLATIONS HEREOF, AND REVOKING CITY ORDINANCE NO. 2014-07 AND CITY ORDINANCE NO. 2014-08 AS AMENDED BY CITY ORDINANCE NO. 5-2014.

Sponsored by:

Hon. _____

WHEREAS, Section 16 of the Local Government Code of 1991 (Republic Act No. 7160) in relation to Sections 447 and 458 (i) of the same law empowered local government units (LGUs) to enact ordinances that regulate noise within their respective jurisdictions.

WHEREAS, the Civil Code of the Philippines (Act 386) includes provisions that classify excessive noise as a nuisance. Under Articles 694 to 707, a nuisance is defined as anything that "injures or endangers the health or safety of others or annoys or offends the senses."

WHEREAS, in an article entitled "*HEALTH EFFECTS OF ENVIRONMENTAL NOISE POLLUTION*" published by the Australian Academy of Science on 21 November 2017 it was reported that "at least one million healthy years of life are lost each year in Europe alone due to noise pollution" and that "there is overwhelming evidence that exposure to environmental noise has adverse effects on the health of the population."

WHEREAS, a study conducted by the University of the Philippines Manila and the National Institutes of Health published in the website of the UP Manila (www.upm.edu.ph) on 7 June 2024 revealed that 13% of the research participants experienced significant noise exposure at work, and approximately 16% of the participants had moderate hearing loss or worse on at least one ear. The researchers, led by Dr. Kimberly Mae C. Ong, Research Assistant Professor at the Philippine National Ear Institute (PNEI), reported further that that EDSA traffic enforcers who were exposed to an 8-hour equivalent sound pressure level of more than 85 decibels were at least 25% more likely to experience hearing abnormalities.

WHEREAS, City Ordinance No. 2014-07 made it unlawful for any person to make, continue, or cause to be made, or continue, any excessive, unnecessary or unusually

loud sound generated by videoke/karaoke systems or other sound producing devices within residential areas and along public streets or road sides which either annoys, disturbs, injures or endangers the comfort, health, peace or safety of others within the City of Bacoor.

WHEREAS, City Ordinance No. 2014-08 as amended by City Ordinance No. 5-2014 prohibited excessively loud noise emitted by motor vehicles in all public places within the City of Bacoor.

WHEREAS, despite the approval of City Ordinances No. 2014-07 and 2014-08, noise pollution remains a daily irritant to residents of the City of Bacoor and endangers their health and well-being and disrupts the harmonious relationship among neighbors. This means that there is a need to review and revise the said legislative measures.

WHEREAS, on 27 January 2025, the City Mayor, Hon. Strike B. Revilla, received a letter from Mr. Joseph Ryan V. Geronimo, CLGOO of the City of Bacoor, informing the City Government about the Memorandum dated 24 January 2025 issued by Provincial Director, Engr. Danilo A. Nobleza of the DILG encouraging LGUs to enact ordinances that will regulate and address noise pollution within their jurisdiction.

NOW THEREFORE, be it ordained by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite that:

Section 1. Title. This Ordinance shall be known and referred to as the “**2025 Anti Noise Pollution Ordinance of the City of Bacoor**”.

Section 2. General Prohibition. It is unlawful for any person within or near a residential zone, school, college, university, hospital or place of worship situated in the City of Bacoor, Cavite to produce — or for any person in possession of property to allow to originate from the said property — sound that is a public disturbance noise.

Section 3. Definition of Terms. As used in this Ordinance, the following terms shall be defined as:

- A. “**Public disturbance noise**” means any noise, sound or signal in excess of 99 decibels generated by any person, animal, equipment, or device which unreasonably disturbs the comfort, peace, or repose of another person or persons within any residential zone — or within 50 meters from any school, college, university, hospital, or place of worship — situated within the City of Bacoor.

The following sounds are declared to be public disturbance noises for the purposes of this Ordinance. Provided, that the following enumeration of acts and noises shall not be construed as excluding other acts and noises which offend the public peace:

1. The frequent, repetitive or continuous sounding of any horn or siren attached to a motor vehicle at any time, except as a warning of danger or as specifically permitted or required by law or city ordinance such as during public emergencies, during disaster preparedness or disaster prevention operations, during election campaigns, or during the observance of religious rites, festivals or events.
2. The creation of frequent, repetitive or continuous sounds in connection with the starting, operating, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle, or internal combustion engine, including hobby vehicles, drones, and aircraft, within a residential zone so as to unreasonably disturb or interfere with the peace, comfort and repose of an owner or possessor of a neighboring real property. **Provided**, that this definition shall not apply to the operation of lawn mowers, garden tools, agricultural machinery, chainsaws or other power equipment used for building, repair or ground maintenance between the hours of eight a.m. (8:00 a.m.) and five p.m. (5:00 p.m.) every day including holidays. **Provided further** that, the barangay having jurisdiction over the place where such building, repair, or ground maintenance work is being done should first issue a Barangay Clearance for Noise Producing Work before the said exception can apply.
3. Yelling, shouting, whistling or singing on or near public streets at all hours every day — including holidays except on New Year's Eve, New Year's Day, Christmas Eve, and Christmas Day or during the celebration of any other event as may be authorized in writing by the City Mayor — or at any time and place so as to unreasonably disturb or interfere with the peace, comfort and repose of owners or possessors of real property.
4. The creation of frequent, repetitive or continuous sounds or electronically broadcast signals which emanate from any building, structure, apartment or condominium or grounds of such structures which unreasonably interferes with the peace, comfort and repose of owners or possessors of neighboring or nearby real property such as sounds from musical instruments, audio sound systems, citizens band radio, ham radio and similar apparatus, band sessions or social gatherings.
5. Sound from motor vehicle audio sound systems, such as tape players, radio and compact disc players, operated at a volume so as to be audible greater than seventy-five (75) feet from the motor vehicle itself.
6. Sound from portable audio equipment such as tape players, radios and compact disc players, and/or karaoke machines operated at a volume so as to be audible greater than seventy-five (75) feet from the source and if not operated upon the property of the operator.

7. Sound resulting from the squealing or screeching or such other sounds from motor vehicle tires in contact with the ground or other roadway surface because of rapid acceleration, braking or excessive speed around corners or because of such other reasons. Provided that sounds which result from actions which are necessary to avoid danger or are emergent in nature shall be exempt from this section.
 8. Sound in excess of 99 decibels emanating from a 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.
 9. Sounds originating from construction sites, including but not limited to sounds from construction equipment, power tools and hammering, between the hours of six p.m. and eight a.m. on weekdays and seven p.m. and eight a.m. on weekends.
 10. Sounds originating from residential property relating to temporary projects for the maintenance or repair of homes, grounds and appurtenances, including but not limited to sounds from lawn mowers, vacuum cleaners, or power hand tools, between the hours of six p.m. and eight a.m. on weekdays and seven p.m. and eight a.m. on weekends; and
 11. Any other sound similar or analogous to the foregoing examples.
- B. **“Residential Zones”** are areas within the City of Bacoor identified and classified as such in the Zoning Ordinance of the City.
- C. **“Schools, Colleges and Universities”** are institutions of education recognized and certified as such by the Department of Education, by the Commission on Higher Education (CHED), or by the local government of the City of Bacoor.
- D. **“Hospital”** pertains to medical institutions recognized and certified as such by the Department of Health (DOH).
- E. **“Place of Worship”** refers to any church, mosque, synagogue, or other edifice dedicated to the observance of various religious rites that are certified as such by the Office of the Building Official (OBO) of the City of Bacoor.
- F. **“Real Property”** are parcels of land, houses, condominiums, apartments, or buildings used as dwelling places situated within the City of Bacoor.
- G. **“Disaster prevention or disaster preparedness operations”** pertain to activities intended to avoid the infliction of any damage or injury, or to mitigate

such damage or injury, to people or properties before, during, or after the occurrence of any man-made or natural calamity.

- H. “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.
- I. “Muffler” is a part of a motor vehicle’s exhaust system, serving to muffle the sound of the said mode of transport.
- J. “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 99 decibels.
- K. **“Hobby vehicles”** are unlicensed motor vehicles, including but not limited to midget racers, all-terrain vehicles, dune buggies, go-carts, and competition pulling farm type tractors.
- L. **“Off-Highway Vehicles”** (also known as “off road vehicles”) is a type of transportation specifically engineered to navigate unpaved roads and surfaces.
- M. **“Drones”** is an unmanned aircraft piloted from a remote station.
- N. **“Aircraft”** refers to any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.
- O. **“Vacuum Cleaners”** are home appliances used to suck in dust particles and other types of debris from floors, appliances, upholstery, and the like.
- P. **“Leaf Blowers”** are machines that use high pressurized air to push fallen leaves to a particular location for easier disposal.

Section 3. Exemptions. The foregoing provisions shall not apply to regularly scheduled events at parks, schools, colleges, universities, churches, mosques, other places of worship, or other public property between the hours of eight a.m. and eight p.m. nor shall it apply to sounds originating from residential property relating to temporary projects for the maintenance or repair of homes, grounds, appurtenances, including but

not limited to sounds of lawn mowers, hand power tools, chain saws, vacuum cleaners, or leaf blowers between the hours of eight a.m. and five p.m.

Sounds originating from construction sites, including but not limited to sounds from construction equipment, power tools and hammering between eight a.m. and five p.m. on weekdays and on weekends shall also be exempt. The foregoing sections shall not apply to any public construction projects, emergency construction or repair by public utility agencies, emergency vehicle operation or actions by emergency service providers or any other emergency repair and construction to prevent further damage to persons or property during floods or windstorms or other property or life-threatening emergencies.

Section 4. Scope. This Ordinance shall cover:

4.1. All persons regardless of age or gender who makes public disturbance noises within residential areas or within 50 meters from any school, college, university, hospital or place of worship in the City of Bacor; and

4.2. Any business or commercial establishment that generate public disturbance noises within residential areas or within 50 meters from any school, college, university, hospital or place of worship in the City of Bacor.

Section 5. Power of the HOA to Implement Ordinance and Seek Assistance from Barangay Officials and the Bacoor City Police. Aside from employees of the City Government and barangay officials of the City of Bacoor, members of homeowner's associations (HOAs) duly accredited by the Sangguniang Panlungsod that were duly deputized by the City Mayor to implement this Ordinance, shall have the power to issue Ordinance Violation Receipts (OVRs) to persons who have violated this Ordinance and to seek the assistance of officials of the barangay/s having jurisdiction over the place where a violation occurred and/or with the Bacoor City Police. The officials of the barangays concerned and the Bacoor City Police are hereby directed to give their immediate and full assistance to the said HOAs whenever needed in a manner that conforms with applicable laws.

Section 6. Reduction/Waiver of Penalties by City Mayor. — The City Mayor may, motu proprio or upon the recommendation of any member of the Sangguniang Panlungsod including the City Vice Mayor, reduce or waive any penalty to be imposed against any natural or juridical person who may have violated any provision of this Ordinance for valid humanitarian, legal, or logistical reasons. Provided that the said privilege may be availed of only once by any person.

Section 7. Implementing Rules and Regulations. The City Legal Officer shall — in consultation with officers of Homeowners Associations operating within the City of Bacor appointed in writing by the City Mayor, the City Environment Services Department

(CESD), the Bacoor Traffic Management Department (BTMD), the Office of the Building Official (OBO), the City Social Welfare and Development Department (CSWD), the Zoning and Land Development Department, and other offices of the City Government as may be required by the City Mayor, the officers of the Liga ng mga Barangay, and the City Administrators Office — submit for the approval of the City Mayor the proposed implementing rules and regulations of this Ordinance not later than sixty (60) days from the date of effectivity hereof.

Section 8. Penalty. Any person who violates this Ordinance shall pay a fine of Php 2,500.00 or shall be imprisoned for not less than thirty (30) days but not more than one hundred (100) days, or shall be required to pay the said fine and serve the period of imprisonment mentioned above, upon final determination by a court of law. Provided that: if the offender is a minor, he/she shall be exempted from paying the said fine or from being imprisoned. Provided further that: if the offender is a minor, he/she shall be required to undergo a seminar on maintaining harmonious community relations and on being sensitive to the feelings of others to be conducted by the social workers of the City Social Welfare and Development Office as may be ordered by the appropriate court of law.

Section 9. Repeal. City Ordinance No. 2014-007, City Ordinance No. 2014-008, **City Ordinance No. 5-2014** and all other city ordinances and executive orders inconsistent with the provisions of this Ordinance are hereby repealed.

Section 10. Effectivity. This Ordinance shall take effect immediately after it has been approved by the Sangguniang Panlalawigan of Cavite and after it has been published at least once in a newspaper of general circulation in the Province of Cavite. The Sangguniang Panlungsod Secretariat is hereby directed to submit a copy of this Ordinance and its IRR to the University of the Philippines-Office of the National Administrative Register (UP-ONAR) as mandated by law.

APPROVED this ___ day of _____ 2025 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was duly approved in accordance with law.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA
City Mayor
Date of Approval: _____