

MUNICIPAL ORDINANCE No. 2019-04  
Series of 2019

Introduced by: Hon. JAYSON M. BARCELONA

**AN ORDINANCE PROHIBITING THE MANUFACTURE, SALE, INSTALLATION OR USE OF DEFECTIVE OR MODIFIED MUFFLERS ON ALL TYPES OF PRIVATE AND PUBLIC MOTOR VEHICLES, INCLUDING MOTORCYCLES, WITHIN THE JURISDICTION OF THE MUNICIPALITY OF BONGABONG AND PROVIDING PENALTY FOR VIOLATION THEREOF**

**WHEREAS**, Section 16, (General Welfare Clause) of RA 7160, otherwise known as the Local Government Code of 1991, provides that local government units shall promote the health and safety as well as the comfort and convenience of their inhabitants;

**WHEREAS**, part of the mandate is to establish a healthy environment and maintain the tranquility of the community, free from excessive and annoying noise that may result to physiological and psychological damage upon individuals;

**WHEREAS**, motor vehicles with modified mufflers commonly create loud, irritating and stressful sounds;

**WHEREAS**, there is a necessity to enact a measures to prevent the hazardous noise produced by motor vehicles using modified mufflers;

**NOW THEREFORE**, be it ordained by the Sangguniang Bayan that:

**SECTION 1. TITLE.** This Ordinance shall be known as the MUFFLER ORDINANCE OF 2019;

**SECTION 2. PROHIBITED ACTS** –The following acts are declared to be prohibited:

- a. Using modified mufflers on all types of motor vehicles whether private or public, including among others, motorcycles, which have been defective, modified or altered, sound booster or any device that will increase the noise of said vehicle or emit sound of more than seventy (70) decibels.
- b. Selling, manufacturing or installing modified mufflers as described in the preceding paragraph.
- c. Modifying or altering mufflers

**SECTION 3. REASONABLE LEVEL/DECIBEL STANDARD** – Exhaust noise should not exceed the maximum prescribed level of seventy (70) decibels.

**SECTION 4. EXCEPTION** – Motor vehicles not utilized for transport of people and goods but merely used for sports competition, motor show and similar endeavor are hereby exempted from this ordinance.

**SECTION 5. ENFORCEMENT** - The lead agency is the Philippine National Police, the designated traffic enforcers of the Municipality and barangay officials shall jointly enforce the provisions of this ordinance.

**SECTION 6. PENALTIES** -The following penalties shall be imposed upon any individual or owner/manager of a commercial enterprise who shall use, manufacture, sell, modify or install mufflers on any motor vehicles:

Violation	User	Seller, Manufacturer or Installer
1 <sup>st</sup> Offense	A fine of One Thousand Pesos (P1,000.00) and confiscation of the modified muffler	Written warning and reprimand
2 <sup>nd</sup> Offense	A fine of One Thousand Five Hundred Pesos (P1,500.00) and confiscation of the modified muffler	Cancellation of mayor's permit
3 <sup>rd</sup> Offense	A fine of Two Thousand Pesos (P2,500.00) and confiscation of the modified muffler	A fine of Two Thousand Five Hundred Pesos (P2,500.00), cancellation of mayor's permit and confiscation of modified muffler

**SECTION 7. SEPARABILITY CLAUSE** - Should any provisions of this Ordinance be declared unconstitutional or invalid, other provisions not affected shall remain valid and effective.

**SECTION 8. REPEALING CLAUSE.** Any and all ordinances of the Municipality which are inconsistent with this Ordinance are hereby repealed.

**SECTION 10. EFFECTIVITY.** This ordinance shall take effect upon completion of posting requirement in the bulletin board of the Municipality and of all barangay halls of the thirty-six (36) barangays.

Certified true:

Atty. EDUARDO M. MAGSINO, REB, EnP  
Secretary to the Sanggunian

Attested by:

Hon. VICTORIA BAES-PADULLO  
S.B. Member/Temporary Presiding Officer

Approved:

Hon. ELEGIO A. MALALUAN, O.D.  
Municipal Mayor

Date: \_\_\_\_\_