ORDINANCE NO. 2020-142

AN ORDINANCE REGULATING THE USE OF KARAOKE, VIDEOKE, AND OTHER SIMILAR MACHINES/DEVICES CAUSING NOISE POLLUTION IN THE COMMUNITY, ALLOWING ITS USE FROM 6:00 AM TO 10:00 PM OF SATURDAY AND TO 6:00 AM TO 8:00 PM OF SUNDAY IN MUNTINLUPA CITY.

Sponsored by:
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Allan Rey A. Camilion
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadefa
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla

WHEREAS, Article II, Sections 4 and 5 of the 1987 Philippine Constitution provides that, “the prime duty of the Government is to serve and protect the people, and maintain peace and order, protect life, liberty, and property, and promote the general welfare for the enjoyment by all the people of the blessings of democracy”.

WHEREAS, Section 11, Paragraph (d)(7) of Republic Act No. 7926 otherwise known as the “Charter of the City of Muntinlupa” provides that, “The Sangguniang Panlungsod shall regulate the establishment, operation, and maintenance of any entertainment or amusement facilities, including theatrical performances, circuses, billiard pools, public dancing schools, public dance halls, xxx, and other places for entertainment or amusement; regulate such other events or activities for amusement or entertainment, particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community.”;

WHEREAS, on 19 June 2020, the Department of Education issued Department Order No. 12, Series of 2020 with subject, “Adoption of the Basic Education Learning Continuity Plan for School Year 2020-2021 in Light of the COVID-19 Public Health Emergency,” providing among others the use of e-learning or online platforms as alternative to face-to-face classes;

WHEREAS, on 07 October 2020, the Department of Interior and Local Government (DILG) encourages all Local Government Units (LGUs) to enact an ordinance or issue a set of rules and regulations in the use of videoke that may cause disturbance during online classes;
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WHEREAS, the City Government of Muntinlupa deems it necessary to regulate the use of sound-producing devices, which may cause disturbance to the community especially with the adoption of distance learning system by the education sector;

NOW THEREFORE, BE IT ENACTED, AS IT HEREBY ENACTED, by 9th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Title. This ordinance shall be known as an "Ordinance regulating the use of karaoke, videokes, and other similar machines/devices causing noise pollution in the community allowing its use from 6:00am to 10:00pm of Saturday and to 6:00am to 8:00pm of Sunday in Muntinlupa City".

SECTION 2. Coverage. This Ordinance shall apply to all individuals, who shall use karaoke, videokes, and other similar machines/devices in elevated sound levels, within the jurisdiction of the City Government of Muntinlupa.

SECTION 3. Definition of Terms. The following terms are defined for the purpose of this Ordinance:

a) Community refers to residential buildings and places with human inhabitants, including the nearby areas, which may be affected or reached by the noise pollution.

b) Noise pollution refers to the regular exposure to unwanted, excessive, and elevated sound levels that have deleterious effects on human health and environmental quality.

c) Unreasonable loud noise refers to the sound level, which is substantially incompatible with the time and location to the extent that it creates an actual or imminent interference with peace and good order.

SECTION 4. Regulation of the use of karaoke and similar devices. The use, karaoke, videokes, and other similar sound-producing machines/devices, which tend to cause noise pollution and disturbance shall be allowed only from 6:00 AM to 10:00 PM of Saturday and 6:00 AM to 8:00 PM of Sunday.

SECTION 5. Implementation and Enforcement. This Ordinance shall be implemented by the Philippine National Police (PNP)-Muntinlupa, Public Order and Security Office (POSO), City Security Office (CSO), Barangay Chairpersons and their personnel, and other individuals deputized by the Local Chief Executive.

SECTION 6. Exemption. Public announcements made by local and national government agencies using sound-producing machines/devices are exempt from the implementation of this ordinance.

SECTION 7. Penalties. Any person who violates this Ordinance, upon notice, shall be penalized with a fine of not less than Two Thousand Pesos (PhP2,000.00) but not more than Five Thousand Pesos (PhP5,000.00), or imprisonment of not more than thirty (30) days, or both.
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Provided that, the foregoing penalties shall be imposed without prejudice to the charges under the Bayanihan to Heal as One Act (R.A. No. 11469) and Bayanihan to Recover as One Act (R.A. No. 11494), and other liabilities under the Revised Penal Code or any special law arising out of the prohibited act herein.

SECTION 8. Separability Clause – If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby shall continue in full force and effect.

SECTION 9. Repealing Clause – All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 10. Publication - This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be disseminated and/or posted by the Public Information Office (PIO) in all available social media platforms.

SECTION 11. Effectivity – This Ordinance shall immediately take effect upon approval and completion of the required publication.

Copies of this Ordinance shall be furnished to the Office of the Mayor, Office of the City Administrator, City Legal Office, City Health Office, Philippine National Police-Muntinlupa City Station, Muntinlupa Traffic Management Bureau (MTMB), Public Order and Security Office (POSO), City Security Office (CSO), and other concerned offices, for their information and proper implementation.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa this 19th day of October, 2020, on its 67th Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. PATY KATY G. BONCAYAO
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. STEPHANIE G. TEVES
Member

COUN. ALEXSON V. DIAZ
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. TING NIEFES
Member

COUN. IVEE RHIA A. TADEFA
Member
District 2:

Coun. Engr. Marissa C. Rongavilla
Member

Coun. Francis Ian T. Bagatsing
Member

Coun. Mark Lester M. Baes
Member

(Absent)
Coun. Ma. Dhesiree G. Arevalo
Member

Member

Coun. Engr. Arlene D. Hilapo
Member

Coun. Cornelio M. Martinez
Member

Coun. Walter A. Arcilla
President
Sectoral Representative
Association of Barangay Chairman

(Absent)
Coun. Kenichi D. Takagi, Jr.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I hereby certify, as to the correctness of the foregoing ordinance.

Cecilia C. Lazarte
Secretary to the Sanggunian

Attested:

Artemio A. Simundac
City Vice-Mayor/Presiding Officer

Approved:

Atty. Jaime F. Fresnedi
City Mayor

Date: 26 Oct 2020