



Republic of the Philippines
City Government of Meycauayan
Province of Bulacan

Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE 5TH REGULAR SESSION IN THE YEAR 2021
OF THE 6TH SANGGUNIANG PANLUNGSOD OF THE CITY OF MEYCAUAYAN, BULACAN,
HELD AT THE SESSION HALL OF THE CITY HALL BUILDING ON FEBRUARY 9, 2021.

PRESENT:

Josefina O. Violago,	City Vice Mayor (Presiding Officer)
Anna Kathrina M. Hernandez,	City Councilor
Catherine C. Abacan,	City Councilor
Mary Christine Z. Paguio,	City Councilor
Arnaldo R. Velasco,	City Councilor
Mario T. Berbosco,	City Councilor
Larissa DS. Abracero,	City Councilor
Wilfredo DS. Macatulad,	City Councilor
Crisanto Niño D. Caparas,	President, SK Federation

ABSENT:

Jerimeco S. Dulalia,	City Councilor
Dhon M. Bañez,	City Councilor
Salvador D. Violago,	President, LNB

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CITY ORDINANCE NO. 276 (OF 2021)

AN ORDINANCE PROHIBITING PUBLIC DISTURBANCE AND UNNECESSARY NOISES DURING SCHOOL HOURS FROM MONDAY TO FRIDAY FROM SEVEN O'CLOCK IN THE MORNING UNTIL FIVE O'CLOCK IN THE AFTERNOON (7:00AM TO 5:00PM), IN THE CITY OF MEYCAUAYAN AND PROVIDING PENALTIES THEREOF.

WHEREAS, the Department of Interior and Local Government (DILG) urged Local Government Units (LGUs) to enact an Ordinance prohibiting noise during on line class hours and independent study period and other activities now that every home in the country has been turned into an extension of the school;

WHEREAS, Department of Education (DepEd) Memorandum No. 012, s. 2020, issued the "*Adoption of The Basic Education Learning Continuity Plan for School Year-2021 in light of the COVID-19 Health Emergency*" provides that there will be no face-to-face classes until it is safe;

WHEREAS, Chapter VII Section (b) of City Ordinance No. 2017-030, also known as "*The New Environment Code of the City of Meycauayan*" expressly refers to nuisance as "*any act, omission, establishment, condition of property, or any else which: a. xxx b. Annoys or offends the senses*";

WHEREAS, the City Government of Meycauayan has received numerous complaints regarding loud and distracting noise-producing devices which disturbs the community specifically the students who are now on online classes;

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NOW, THEREFORE, be it **ORDAINED**, as it is hereby **ORDAINED** by the Sangguniang Panlungsod of the City of Meycauayan, Bulacan in a Regular Session duly assembled, **THAT**:

SECTION 1. Short Title. - This Ordinance shall be known as the "**ANTI-PUBLIC DISTURBANCE ORDINANCE**".

SECTION 2. Objectives. - To support the teachers and students on blended and distance learning modality, public health, safety, and general welfare of the residents of the City.

SECTION 3. Definition of Terms:

BLENDED DISTANCE LEARNING MODALITY - a system where students receive instruction from teachers using printed or digital modules, online resources, online classes, and radio and television-based instructions.

MECHANICAL LOUDSPEAKER - any device typically electronic by which speech, music, and other sounds can be intensified and made.

NOISE - any sound from a musical device, loudspeakers, sound equipment, or any activity which produces loud, disturbing, unreasonable and/or unnecessary sound that is disruptive.

VIDEOKE OR KARAOKE - means any audio-video gadget operated and built to produce images and/or lyrics of a song on a television screen used to sing along to recorded music.

SECTION 4. Prohibitions. - From Mondays to Fridays, between seven o'clock in the morning until five o'clock in the afternoon (7:00 am to 5:00 pm), it is prohibited for any person, natural or juridical, within this jurisdiction to engage in any activities that produces noise that disrupts the conduct of Blended Distance Learning Modality such as, but not limited to the following:

- a. Videoke, karaoke, radio, television or any other musical instruments;
- b. Using any mechanical loudspeakers or sound equipment on vehicles for whatever personal or commercial reasons;
- c. The operation of any type of sound equipment which disturbs the learning environment of students, teachers on online classes and annoys the quiet and comfort in any dwelling or residence;
- d. Operation of any kind of machine that produce loud sounds or noise;
- e. Any construction, repair, or activity that emits loud and disturbing sound or noise; or
- f. Any activity not mentioned herein, which produces noise and causes disturbance to the conduct of Blended Distance Learning Modality.

SECTION 5. Implementation. - To carry out the implementation of this ordinance, Section 4 (b) of City Ordinance No. 2017-030 also known as the City Environment Code provides that "*the Head of CENRO shall have the power to delegate such authority to any bona fide employee or any authorized representative of CENRO; provided, that the delegation of authority is subject to issuance of Mission Order, Office Order or similar order of assignment.*" In this regard, the City Environment and Natural Resources Office (CENRO) may delegate barangay personnel for the correct and effective implementation of this Ordinance.

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SECTION 6. Notice of Violation. - A CENRO official Notice of Violation shall be issued by the authorized barangay personnel, and shall contain the following:

- a. Barangay issuing the notice.
- b. Date of issuance of the notice.
- c. Name of the violator.
- d. Date, time, and venue of violation.
- e. Provision of the ordinance violated.
- f. Brief description or narration of the acts consisting the violation.
- g. Information whether it is the 1st, 2nd, or 3rd offense.
- h. Name and signature of the authorized apprehending personnel.
- i. Name and signature of the Punong Barangay.

For the information of the violator, the following shall also appear on the Notice of Violation:

- a. Penalties for the violation of this ordinance.
- b. Deadline of payment.
- c. Place of payment (City Treasurer's Office).
- d. An instruction stating that a photocopy of the official receipt of payment from the City Treasurer's Office must be submitted to the Barangay which issued the Notice of Violation within three (3) days from payment.
- e. Penalty for non-payment or delay in the payment of fines shall appear therein.

The notice shall be in quadruple copies: one for the violator, one for the Barangay, one for the Treasurer's Office, and one for the CENRO. A photocopy of the Official Receipt of Payment for the penalty must be submitted to the Barangay which issued the Notice of Violation and shall be logged in the records of the Barangay accordingly.

The Barangay shall keep a separate record of the notices issued, notices paid, notices unpaid, and notices with lapsed payment. He/she shall make a monthly report on violation notices, and submit the same to the CENRO for monitoring purposes.

SECTION 7. Penalties. - Persons found initially violating this ordinance shall be requested by the authorized barangay personnel to cease from doing the activity herein prohibited (verbal warning). However, if such request is ignored or taken for granted by the concerned person/s, the same shall be reported to the Punong Barangay or authorized barangay personnel who, in return, shall issue a Notice of Violation.

For any violation of this Ordinance, the administrative fines imposed are as follows:

First Offense	P1,000.00
Second Offense	P2,000.00
Third Offense and Succeeding	P3,000.00

Such penalties must be paid within seventy-two (72) hours from the time of issuance. *All penalties are to be paid at the City Treasurer's Office only.*

In case of non-payment of administrative fine within the deadline, or non-submission of the photocopy of the official receipt of payment of fine within three (3) days from payment, violators shall pay an additional P2,000.00 or an imprisonment of ten (10) days or both, at the discretion of the court.

SECTION 8. *Barangay's Share in the Administrative Fee.* - Barangays shall have a fifty percent (50%) share on paid fines, provided that the same shall not exceed the amount of One Thousand Pesos (P1,000.00) in accordance with *Republic Act No. 7160 - Section 391 (12) (b)*. Such share shall be remitted to the respective Barangays by the City Treasurer in accordance with the current practice, rules, and regulations of government transfer of funds.


SECTION 9. *Repealing Clause.* - All other laws, executive orders, administrative orders or parts thereof that are inconsistent with this ordinance are hereby repealed or modified accordingly.

SECTION 10. *Separability Clause.* - If any part or provision of this ordinance shall be held unconstitutional or invalid, other provisions that are not affected shall continue to be in full force and effect.

SECTION 11. *Effectivity.* - This ordinance shall take effect ten (10) days after its publication.

APPROVED UNANIMOUSLY.

I hereby **CERTIFY** that this *Ordinance* was approved by the Sangguniang Panlungsod.


RAFAEL GIANCARLO T. VILLARICO
Acting Secretary to the Sangguniang Panlungsod

ATTESTED BY:


JOSEFINA O. VIOLAGO
City Vice Mayor
(Presiding Officer)



ANNA KATHRINA M. HERNANDEZ
City Councilor


CATHERINE C. ABACAN
City Councilor


MARY CHRISTINE Z. PAGUIO
City Councilor


ARNALDO R. VELASCO
City Councilor


MARIO T. BERBOSO
City Councilor



LARISSA DS. ABRACERO
City Councilor

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WILFREDO DS. MACATULAD
City Councilor


CRISANTO NIÑO D. CAPARAS
President, SK Federation

APPROVED by the *City Mayor* this _____ day of MAR 17 2021, 2021:


LINABELLE RUTH R. VILLARICA
City Mayor