



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 56
Series of 2017

AN ORDINANCE PROHIBITING EXCESSIVE, UNNECESSARY AND UNUSUALLY LOUD SOUNDS GENERATED FROM VIDEOKE/KARAOKE SYSTEMS OR OTHER AMPLIFIED AUDIO DEVICES WITHIN THE RESIDENTIAL AREAS AND ALONG PUBLIC STREETS IN PASIG CITY, AND FURTHER PROVIDING PENALTY FOR VIOLATION THEREOF, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND REGULATIONS.

Authored By: Councilor Rodrigo B. Asilo
Co-Authored By: Councilors Ferdinand A. Avis, Regino S. Balderrama, Orlando R. Benito Rhichie Gerard T. Brown, Mario C. Concepcion, Jr., Rosalio D. Martires, Corazon M. Raymundo, Gregorio P. Rupisan, Jr., Alejandro E. Santiago, Wilfredo F. Sityar, Victor Ma. Regis N. Sotto, and LIGA Pres. Celestino U. Chua

WHEREAS, Section 16 of the Local Government Code of 1991, partly states that: "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare";

WHEREAS, some local residents or groups are accustomed in utilizing public streets or road sides to gain wider area for a private activity or function, often making use of videoke/karaoke systems, amplified audio devices sheltered on collapsible tents as form of amusement, recreation or for private audience;

WHEREAS, the making and creation of excessive, unnecessary or unusually loud sounds from videoke/karaoke systems, amplified audio devices beyond limits and at unacceptable levels during unholy hours causes serious discomfort and has created numerous complaints and public condemnation ;

WHEREAS, the making, creation or maintenance of such unnecessary, unnatural or unusually loud sounds which are prolonged, unusual and unnatural in their time, place and use effect are detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents;

WHEREAS, it is the policy of the City Government of Pasig to protect the welfare of its citizens from the excessive sound and vibration and inadequately controlled noise which are serious hazards to the public health and safety and is a source of annoyance to the local populace.

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE SANGGUNIANG PANLUNGSOD OF PASIG, METRO MANILA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION DULY ASSEMBLED, THAT:

Section 1. Prohibited Acts – It shall be unlawful for any person to make, continue or cause to be made or continue any excessive, unnecessary or unusually loud sound generated from videoke/karaoke system or other amplified audio devices within residential areas and along public streets or road sides which



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either annoys, disturbs, injures or endangers the comfort, health, peace or safety of others within the city.

Section 2. Scope – These implementing rules and regulations shall cover:

- (a) all persons;
- (b) operation or use of videoke/karaoke system or other amplified audio devices;
- (c) excessive, unnecessary, uncontrolled sounds;
- (d) within residential areas and along public streets, road sides, public right of way in Pasig City;

Section 3. Definition of Terms – As used in these rules and regulations, the following term shall mean:

- a. Person (s) – includes any being, natural or juridical, susceptible rights and obligations or being the subject of legal action.
- b. Public Right of Way – means any street, avenue, alley, sidewalk or public space which has been dedicated for use of the general public and the dedication of which has been accepted by government entity.
- c. Noise – means any source which annoys or disturbs humans or which causes or tend to cause an adverse psychological effect on humans.
- d. Noise Disturbance – means any sound which (a) endangers or injures the safety or health of humans or (b) annoys or disturbs.
- e. Sound amplifying equipment – any equipment use to amplify sounds.
- f. Unreasonably Loud – Noise which is substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace and good order.
- g. Disturbing – Noise which is perceived by a person or ordinary sensibilities as interrupting the normal peace and calm of the area.
- h. Videoke/Karaoke System – shall be defined as any audio-video equipment operated and built to produce images and/or lyrics of song on a television screen to afford a person to sing along using any electronic device. Such operation may be free or for free or thru by dropping tokens/coins on the machine.



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- i. Reasonable Person – An objective standard against which any individual's conduct can be measured. It is used to determine if a breach of the standard of care has occurred, provided a duty of care be proven. The reasonable person would under the same or similar circumstances.

Section 4. The following acts shall be declared unreasonably loud, disturbing and unnecessary noise in violation of this Ordinance:

4.1 The operating, playing or permitting the operation or playing of any radio, cd player, television set, amplified musical instrument, drums, loudspeaker, videoke or karaoke system, or other sound producing device in such manner of with such volume so as to annoy the quiet, comfort of a reasonable person of normal sensitivities in any dwelling or residence; or with louder volume than is necessary for convenient hearing for the persons who are in the place in which such device is operated.

4.2 The operation of such set, machine or device in such manner as to be plainly audible at a distance of 50 feet from the place in which it is located shall be prima facie evidence of a violation of this Ordinance.

Section 5. In determining whether a sound is unreasonably loud and disturbing, the following factors incident to such noise are to be considered:

- Time of the day, proximity to residential structures;
- Whether the noise is recurrent, intermittent, or constant;
- The volume and intensity;
- Whether the noise has been enhanced in volume of range by any types of electronic or mechanical means;
- The character and zoning area;
- Whether the noise is subject to being controlled without unreasonable effort and expense to the creator thereof.

Section 6. Operation and Use

Operation and use of videoke/karaoke system and other amplified audio devices in public streets or road sides shall be allowed only upon securing a permit from the Barangay who has jurisdiction over the area and under the condition to wit:

Monday to Sunday – until 10:00 PM only.

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Section 7. Application of Permit

7.1 Pursuant to Sec. 5 of these rules, the operation or use of videoke/karaoke system and other amplified audio devices in public streets or road sides shall be allowed only upon securing a permit from the Barangay who has jurisdiction over the area. Permit shall be until ten o'clock in the evening (10:00 p.m.).

7.2 Applicant for a permit to operate or use videoke/karaoke system and other amplified audio devices in public streets or road sides shall complete and fill an application form and file the same with the Barangay at least Five (5) working days prior to the date of the intended activity.

7.3 The application shall describe the nature of the intended activity, the type of audio device, the specific location at which such audio device is to be used or operated and, such other pertinent information as is necessary for the Barangay to carry out its duties under this section.

Section 8. Issuance of Permit

8.1 The Barangay or its duly authorized representative shall issue a permit for the operation or use of videoke/karaoke system and other amplified audio devices in public streets or road sides, only upon compliance with the provisions of the preceding section.

8.2 The issuance of permit signed by the Barangay Captain shall describe the nature of the intended activity, specific location and type of audio device to be used or operated there under, and the period of time for which such device may be operated. It shall specify such other terms and conditions as are essential to secure and protect the public safety.

Section 9. Restrictions

The Barangay shall not issue a permit for the operation or use of videoke/karaoke system and other amplified audio devices:

9.1 at any location within 200 meters of a school meters of any hospital or other institution caring for the sick or infirmed;

9.2 at any location where the Barangay, upon investigation, shall determine that the conditions of vehicular or pedestrian traffic or both are such that the use of

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public street or road side will constitute serious hazards to the safety and comfort of pedestrians or vehicle operators;

9.3 at any location where the Barangay, upon investigation, shall determine that the conditions of overcrowding or other physical conditions are such that the use of public street or road side will deprive the public of the reasonable right to safe and peaceful enjoyment of any public street or other public place;

Section 10. Enforcement and Implementing Authority

10.1 Any of the following offices shall strictly implement this Ordinance. The Office of Public Safety (OPS), the Batas ng Ciudad Enforcement Office (BCEO), the Philippine National Police (PNP Pasig), Pasig City Task Force Disiplina and Barangay Officials & Security Forces (BSF).

10.2 Any person or person(s) who violates the provisions of this Ordinance shall receive a verbal order to cease or abate the loud sounds generated from videoke/karaoke system and other amplified audio devices immediately or within a reasonable time period, provided however, that if the violation is deemed to be excessive, the Barangay authorities need not issue a verbal reprimand to cease or abate the loud sound, but may in lieu thereof charge the offending person or person(s) with violation of this Ordinance.

Section 11. Penal Provision

Pursuant to Section 6 of this Ordinance, any person(s) who violates the provision of this Ordinance shall be punished:

First Offense: Fine of five hundred pesos (P500.00) or four (4) hours community service.

Second Offense: Fine of one thousand pesos (P1,000.00) or eight (8) hours community service.

Third Offense: Fine of two thousand pesos (P2,000.00) or sixteen (16) hours community service and imprisonment of not less than one (1) month or not less than three (3) months or both at the discretion of the court.

Section 12. NO CONTEST PROVISION. Any person, individual or entity who is apprehended or sited for violation and who does not wish to contest the violation and is willing to pay voluntarily the minimum fine imposed upon him/her prior to the filing of formal charges with the proper court shall be allowed to pay



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said fine with the City Treasurer to avoid being criminally prosecuted within forty eight (48) hours from apprehension, otherwise the case shall be prosecuted.

Section 13. The City Treasurer or any designated officer, subject to civil service laws, rules and regulations is hereby directed to provide personnel who will accept payment of fines twenty four (24) hours a day so as not to jeopardize the right of the offended to avail of the forty eight (48) hours within which to pay under this ordinance.

Section 14. Separability Clause. If, for any reason, any part or provision of this ordinance shall be declared unconstitutional or invalid, other parts or provisions not affected thereby shall continue to be in full force and effect.

Section 15. Repealing Clause. All ordinances, resolutions and other administrative regulations that are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 16. Effectivity Clause. This Ordinance shall take effect immediately upon its approval.

APPROVED, this 26th day of **October** 2017 at Pasig City.

VICTOR MA. REGIS N. SOTTO
Councilor

GREGORIO P. RUPISAN JR.
Councilor

RHICHIE GERARD T. BROWN
Councilor

ALEJANDRO E. SANTIAGO
Councilor

RODRIGO B. ASILO
Councilor

MARIO C. CONCEPCION, JR.
Councilor

ORLANDO R. BENITO
Councilor

CORAZON M. RAYMUNDO
Councilor

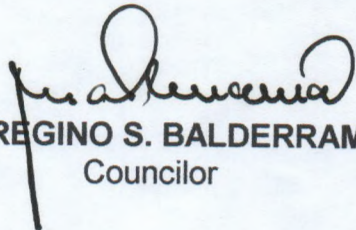


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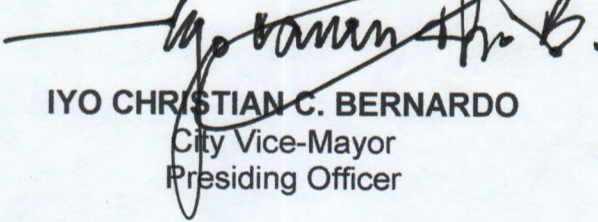

REGINO S. BALDERRAMA
Councilor

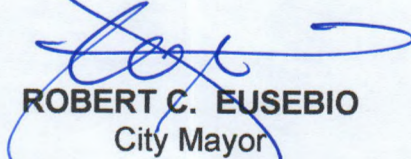

ROSALIO D. MARTIRES
Councilor

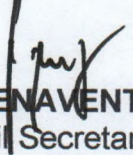
CELESTINO U. CHUA
LIGA President


FERDINAND A. AVIS
Councilor
Minority Floor Leader


WILFREDO F. SITYAR
Councilor
Majority Floor Leader

Attested by: 
IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED: 
ROBERT C. EUSEBIO
City Mayor

Attested by: 
REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary