

Republic of the Philippines  
City of Iloilo  
**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**EXCERPT FROM THE MINUTES OF THE 20<sup>TH</sup> REGULAR SESSION OF THE 8<sup>TH</sup> SANGGUNIANG PANLUNGSOD OF THE CITY OF ILOILO, PHILIPPINES, HELD AT THE SESSION HALL, 6<sup>TH</sup> FLOOR NEW CITY HALL BUILDING, PLAZA LIBERTAD, ILOILO CITY, ON TUESDAY, MAY 23, 2017.**

**PRESENT:**

**HON. JOSE S. ESPINOSA III**  
**City Vice Mayor & Presiding Officer**

|  |                   |
|--|-------------------|
| Hon. Joshua C. Alim  | Member            |
| Hon. Lady Julie Grace L. Baronda                               | Member            |
| Hon. Ely A. Estante, Jr.                                       | Member            |
| Hon. Jeffrey P. Ganzon   | Member            |
| Hon. R Leone N. Gerochi, <i>Asst. Floor Leader</i>             | Member            |
| Hon. Reyland V. Hervias, <i>Liga ng mga Barangay President</i> | Ex Officio Member |
| Hon. Mandrie T. Malabor  | Member            |
| Hon. Eduardo L. Peñaredondo, <i>Floor Leader</i>               | Member            |
| Hon. Jose Efrain G. Treñas III                                 | Member            |
| Hon. Candice Magdalane A. Tupas, M.D.                          | Member            |

**ABSENT:**

|   |        |
|---|--------|
| Hon. Armand S. Parcon (On Special Leave)          | Member |
| Hon. Liezl Joy Zulueta-Salazar (On Special Leave) | Member |
| Hon. Plaridel C. Nava II (On Vacation Leave)      | Member |

**REGULATION ORDINANCE NO. 2017-087**

**AN ORDINANCE AMENDING SECTION IV OF REGULATION ORDINANCE NO. 2017-071 OTHERWISE KNOWN AS "AN ORDINANCE PROHIBITING THE SALE, INSTALLATION, AND USE OF MODIFIED MUFFLERS IN ALL PUBLIC AND PRIVATE MOTOR VEHICLES PLYING WITHIN ILOILO CITY WHICH CREATE EXCESSIVE AND IRRITATING SOUND AND PROVIDING PENALTIES THEREOF", BY IMPOSING ADDITIONAL PENALTY OF ONE THOUSAND PESOS (P1,000.00) INSTEAD OF DOUBLING THE FINES IN 1<sup>ST</sup> AND 2<sup>ND</sup> OFFENSE**

Sponsored by Hon. Joshua C. Alim and seconded by Hon. Eduardo L. Peñaredondo and Hon. Ely A. Estante, Jr.

WHEREAS, number of residents of Iloilo City are complaining of the loud noise coming from vehicles which mufflers were removed or modified to create excessive and irritating sounds;

WHEREAS, to some bike mod enthusiasts, this noisy and ear-splitting mufflers is not a big deal but to the rest of the society it can be enough to bring the day to ruin and the tranquility of the night to a nightmare;

WHEREAS, the noise pollution on our streets can already be annoying as it is, and it can even get more disruption and irritating when loud sounds coming from the mufflers of the motor vehicles are added to the mix;

Published:  
Journal Nisayan  
June 12-18, 2017

HON. JED PARRICK E. MABILO  
CITY MAYOR

*[Handwritten signatures and initials]*

WHEREAS, some owners of the motor vehicles installed, removed, or modified the original mufflers, thereby creating a booming sound that can be heard even from a long distance;

WHEREAS, when a noise can be so loud that can be heard even at a distance of kilometer away, so many people can be affected especially the senior citizens and those who are suffering from sickness;

WHEREAS, such loud noise coming from open pipe or modified mufflers not only affect the quality of life of people but may also lead to permanent hearing loss for bike riders, and the people around them and even worse, it may lead also to serious health problems and may even prove fatal in some instances;

WHEREAS, no less than President Rodrigo Duterte openly expressed his disdain for these road nuisances and even declared the confiscation of over 200 motorbikes in Davao City and further declared that: "Noise is a pollutant, it destroys the hearing of the people. It disturbs the public peace. It's unlawful";

WHEREAS, there can be no users if there is no sellers or installers of the modified mufflers which create excessive and irritating sounds;

WHEREAS, the Local Government Unit (LGU) may legislate measures for the good of the greater majority under the general welfare clause of the Local Government Code.

NOW, THEREFORE, be it ordained, by the Iloilo City Council, in session assembled, to pass this ordinance, to wit:

**AN ORDINANCE AMENDING SECTION IV OF REGULATION ORDINANCE NO. 2017-071 OTHERWISE KNOWN AS "AN ORDINANCE PROHIBITING THE SALE, INSTALLATION, AND USE OF MODIFIED MUFFLERS IN ALL PUBLIC AND PRIVATE MOTOR VEHICLES PLYING WITHIN ILOILO CITY WHICH CREATE EXCESSIVE AND IRRITATING SOUND AND PROVIDING PENALTIES THEREOF", BY IMPOSING ADDITIONAL PENALTY OF ONE THOUSAND PESOS (P1,000.00) INSTEAD OF DOUBLING THE FINES IN 1<sup>ST</sup> AND 2<sup>ND</sup> OFFENSE**

HON. JED PATRICK E. MABILON  
CITY MAYOR

Section I. **Title** – This ordinance shall be known as "ANTI-MODIFIED MUFFLERS ORDINANCE."

Section II. **Definition of Terms** – The following terms as used in this ordinance are defined, as follows:

1. **Muffler** – part of the motor vehicle's exhaust system serving to muffle the sound of the vehicles; sound suppressor;

2. **Modified Mufflers** – changes from the original mufflers (factory fitted) to a new one that produces excessive and irritating sounds;

3. **Sale** – exchange of commodity for money or the action of selling modified mufflers;

4. **Installation** – the action or process of installing or fixing of modified mufflers to the motor vehicles;

5. **Motor vehicles** – a road vehicles powered by an internal combustion engine such as Motor bikes, tricycles, automobiles and other similar four (4) wheels motor vehicles;

6. **Public Motor Vehicles** – those motor vehicles registered and operated by the Government of the Philippines including that of foreign countries, and any other motor vehicles for commercial purposes: like passenger jeeps, buses, taxis, vans and other similar vehicles;

7. **Private Motor Vehicles** – motor vehicles registered and operated by any private individual and not for commercial purposes;

8. **Excessive and Irritating Sound** – sound produced by a modified muffler more than normal that is coming from the original muffler causing annoyance or impatience; the kind of sound that is beyond the simple and ordinary hearing of an ordinary human beings, including animals;

9. **Factory Specs** – after-sale muffler but designed and fitted/tune-in/compatible to the engine.

Section III – **Prohibited Acts** – The following are the prohibited acts under this ordinance:

1. The SALE, INSTALLATION, AND USE of modified mufflers which create excessive and irritating sounds beyond 115 decibels.

Section IV – **Penalties** – Violation of this ordinance shall be meted out the hereunder following penalties, after due hearing:

1) First Offense - P1,000.00 and confiscation of Driver's License;  
2) Second Offense - P3,000.00 and confiscation of Driver's License;  
3) Third Offense - P5,000.00 removal and confiscation of the subject muffler or open pipe that produces excessive and irritating sound, confiscation of Driver's License, and/or imprisonment of the maximum of Three (3) months and one day to the maximum of six (6) months at the discretion of the Court;

Violators who refused to stop their vehicles after it was flagged down shall suffer the additional penalty of One Thousand Pesos (P1,000.00) of that of the 1<sup>st</sup> and 2<sup>nd</sup> offense, the same increase of penalty shall be imposed to those who stopped but deliberately and arrogantly refused to cooperate with the TMTRO/Police Officer;

Section V – **Special Provisions as to the Sellers and Installers:**

1. The same penalties stated in the immediately preceding Section shall be imposed to the Sellers and the installers violating this ordinance. Provided, that in the Third Offense, the Business Permit of the Sellers and Installers shall be cancelled, after due hearing and convictions by the Court; Provided, further, that the Business and Permit Division of the Iloilo City Government shall check and monitor religiously the

HON. JED PATRICK E. MABILOK  
CITY MAYOR

operation of their business and denied issuance or renewal of the business permit in case of violation without the necessary filing of cases in the regular Court. Use of any other device to evade compliance of the ordinance employed by the Sellers and Installers is likewise prohibited and punishable under Section IV of this ordinance..

**Section VI – Enforcement Agency:**

1. The Transportation Management and Traffic Regulation Office (TMTRO) of Iloilo city shall be the lead office to implement this ordinance with the full support, cooperation, and help of the Iloilo City Police Office (ICPO). However, the Mayor through Executive Order, may create a Special Task Force to monitor and strictly implement this ordinance.

The TMTRO shall flag down vehicles with mufflers that produces an excessive and irritating sounds. Afterwhich, with the use of the sound level meter devise, the TMTRO shall measure the level of decibel not to excess 115 db as the maximum noise of the muffler exhaust at the distance of two (2) meters away from the muffler according to the Land Transportation Office (LTO) Administrative Order No. ACE – 2009-018;

The TMTRO shall include in the check lists of their Temporary Operator's Permit (TOP) the violation of this ordinance. All Driver's Licenses confiscated must be properly accounted and be remitted to the City Legal Office before the end of the office hour of the day of confiscation and on the first hour of the office hour in the following day for confiscation made after the office hour of the day. Those confiscated on Saturdays, Sundays and on Holidays shall be immediately remitted on the first office hour of the next office day.

TMTRO enforcers who failed to comply this Section, and caught receiving money, negotiating, or compromising with the violators shall be dismissed from the service after due hearing with the Chief of the Office of the TMTRO and approval of the City Mayor.

Violators of this ordinance shall settle their fines within seventy two (72) hour to the City Treasurer's Office and present the receipts of payment to the City Legal Office. The City Legal Office shall conduct an orientation of the ordinance and any other traffic ordinances with the help of the TMTRO before the Driver's License may be released. The violator shall personally attend the orientation. Representative or even Attorney-In-Fact is not allowed.

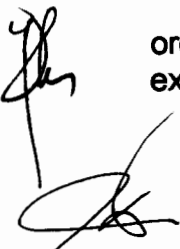
The City Legal Office shall initiate the filing of the case if the violator failed or refused to settle the fine with the Treasurer's Office after the lapsed of a seventy two (72) hours from remittance of the confiscated Driver's License. There will be no settlement after the case has been filed in Court.

The TMTRO shall forward machine copies of the Driver's License of the violators of this ordinance to the Land Transportation Office (LTO) Regional Office VI for their guidance and reference and for whatever legal sanction they may act accordingly.

**Section VII – Transitory Provision** – Three (3) months from approval of this ordinance is given to all owners of motor vehicles with modified mufflers that creates excessive and irritating sounds to comply the provision of this ordinance.

HON. JED PATRICK C. MABILOG  
CITY MAYOR





**Section VIII – Appropriation** – The City Government shall appropriate fund in the next preparation of the Annual Budget or of the Supplemental Budget for the effective implementation of this ordinance after its effectivity.

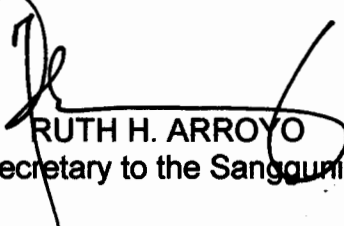
**Section IX – Separability Clause** – If any party or provision of the ordinance is held invalid or unconditional, other provision not affected thereby shall remain in force and effect.

**Section X – Repealing Clause** – All ordinances inconsistent with the provisions of this ordinance are hereby expressly repealed accordingly.

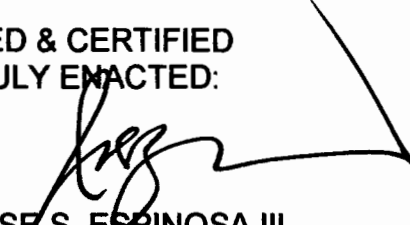
**Section XI – Effectivity** – This ordinance shall take effect after its publication in a newspaper of general circulation in Iloilo City.

ENACTED, May 23, 2017.

I hereby certify to the correctness of the above quoted ordinance.

  
RUTH H. ARROYO  
Secretary to the Sanggunian

ATTESTED & CERTIFIED  
TO BE DULY ENACTED:

  
JOSE S. ESPINOSA III  
City Vice Mayor & Presiding Officer

APPROVED:

  
JED PATRICK E. MABILOG, D.M.  
City Mayor