



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

EXCERPTS FROM THE MINUTES OF THE SEVENTEENTH (17TH) SPECIAL SESSION OF THE SANGGUNIANG BAYAN HELD ON NOVEMBER 03, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapid
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozylyn N. Manansala, SK Fed. President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Mike Dexter A. Concio, (O.B.)

Visitors : None

ORDINANCE NO. 2020 - 2072

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE, KARAOKE, RADIO, LOUDSPEAKERS AND OTHER AUDIO OR SOUND DEVICES THAT CAUSE DISTURBANCE NOISE IN RESIDENCES, COMMERCIAL ESTABLISHMENTS AND PUBLIC PLACES AND STREETS DURING CLASS HOURS AND PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

Author : Councilwoman Arlene P. Delos Santos

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) accords every local government unit power and authority to promote the general welfare within its territorial jurisdiction, including the promotion of health and safety of its constituents;

WHEREAS, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF-MEID) Omnibus Guidelines on the Implementation of Community Quarantine in the Philippines with Amendments as of October 08, 2020 provides for the suspension of face-to-face or in-person classes at all levels as a preventive measure against the local spread of COVID-19;

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WHEREAS, in response to the suspension of face to face classes, the Department of Education (DepEd) is implementing the adoption of various learning delivery options such as but not limited to blended learnings, distance learnings, and homeschooling and other modes of delivery allowing for students to study from home;

WHEREAS, studying from home has become challenging as children get distracted particularly by unnecessary disturbing noise emanating from their homes and/or their neighborhoods, resulting in various complaints filed in the Barangay against neighbors for playing audio devices too loud or using videoke and similar devices while online classes are on-going;

WHEREAS, in response to the growing number of complaints against barangay residents creating disturbing noise, several Punong Barangay of Los Baños through the Liga ng mga Barangay, requested for the enactment of an ordinance that shall regulate the use and operation of sound producing devices that cause disturbance noise during class hours;

WHEREAS, the Department of the Interior and Local Government (DILG) called on local government units (LGU) to pass ordinances that will prohibit videoke sessions and other loud and distracting activities during online class hours as students adjust to blended learning;

NOW, THEREFORE, on motion of Councilwoman Arlene P. Delos Santos duly seconded by Councilor Cris Dayril B. Bagnes and approved by the councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT**:

SECTION 1. TITLE. This Ordinance is entitled "An ordinance regulating the use and operation of videoke, karaoke, radio, loudspeakers, and other audio or sound devices that cause disturbance noise, in residences, commercial establishments and public places and streets during class hours and providing penalties for violation and other purposes";

SECTION 2. DEFINITION OF TERMS. For purposes of this ordinance, the term:

a. **DISTURBANCE NOISE** means excessive noise, sound or signal which unreasonably disturbs the comfort and/or interferes with study from home activities, or disrupts the peace of another person or persons.

b. **SOUND-AMPLIFICATION DEVICES** are devices that increase the loudness of natural sounds, speech or music by an electronic system.

c. **CLASS HOURS** refers to the time of the day when classes are held, i.e. from SEVEN O'CLOCK in the morning to SIX O'CLOCK in the afternoon (7:00 am to 6:00 pm), Monday to Friday.

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- d. **STUDY FROM HOME** refers to participation in a course of instruction administered through “online distant learning” and “in-person” delivery of printed materials carried on in the student's home or interactive facilities.

SECTION 3. GENERAL PROHIBITION. The commercial, non-commercial, utilization and employment of sound amplification devices, such as but not limited to, videoke, karaoke, stereos, radio and digital players, loudspeakers, and similar sound devices that cause disturbance noise, shall not be allowed during class hours, i.e. between the hours of 7:00 AM and 6:00 PM, Monday to Friday in residences, commercial establishments and public places and streets, in the Municipality of Los Baños;

SECTION 4. EXEMPTIONS.

- a. Public service announcements, emergency signals, alarm and warning systems or devices may be allowed, when necessary.
- b. Holidays, suspended classes days, semestral breaks;
- c. Events/programs that require the use of sound systems subject to barangay permits and clearances.

SECTION 5. PENALTIES. Any person found violating this Ordinance shall be penalized accordingly:

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| a. First Offense | Fine of Php 1,000.00 |
| b. Second Offense | Fine of Php 1,500.00 |

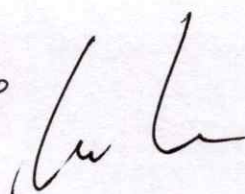
<i>Commercial Establishments:</i>	Fine and Suspension of Business Permit
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| c. Third and Succeeding Offenses | Fine of Php 2,000.00 |
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<i>Commercial Establishments:</i>	Fine and Revocation of Business Permit
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SECTION 6. ALTERNATIVE PENALTY. The ALTERNATIVE PENALTY of Community Service as provided for under Section 10 of Municipal Ordinance No. 2019-1901 entitled, “An ordinance authorizing the Punong Barangay to deputize Barangay Tanod/BPSOs, Barangay Officials and Barangay Personnel as enforcers of Municipal Ordinances, authorizing the use of Municipal Citation Tickets and providing for incentives thereof” is hereby adopted.

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“Section 10. ALTERNATIVE PENALTY FOR RO AND NRO. Resident offenders (RO) and Non-Resident Offenders (NRO) apprehended by duly authorized barangay enforcers may opt to avail the alternative penalty of community service, to be determined by the Punong Barangay and to be served at the barangay where the offense was committed.”

SECTION 7. IMPLEMENTATION AND ENFORCEMENT CLAUSE. The Office of the Mayor or duly appointed Municipal Personnel, Los Baños Philippine National Police, Punong Barangay, Barangay Officials and Barangay Personnel shall ensure the effective and efficient implementation and enforcement of this ordinance, including, but not limited to dissemination and apprehension of violators and record keeping;

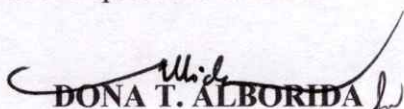
SECTION 8. REPEALING CLAUSE. All other ordinances, resolutions, memoranda, orders and other issuances inconsistent with this Ordinance are hereby repealed or amended accordingly;

SECTION 9. SEPARABILITY CLAUSE. If for certain reasons some provisions of this Ordinance are found to be invalid or unconstitutional, all other provisions hereof not affected shall remain in full force and effect;

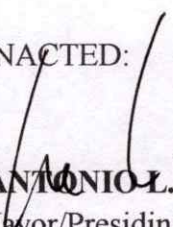
SECTION 10. EFFECTIVITY AND DURATION. This Ordinance shall take effect upon approval and continue to be in effect until such time as the suspension of face to face classes is lifted and regular school classes resume.

ENACTED : November 03, 2020

I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.



DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. ANTONIO L. KALAW
Vice Mayor/Presiding Officer

APPROVED:

FINAL FILED
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MAY 11, 2020


HON. CAESAR E. PEREZ
Municipal Mayor