



Republic of the Philippines
Region IV-A (CALABARZON)
Province of Cavite
CITY OF GENERAL TRIAS
OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 22-08 (GENERAL)

Authors : SP Member Isagani L. Culanding
Chair, Committee on Transportation
and Communication
SP Member Kristine Jane M. Perdito-Barison
Chair, Committee on Environmental Protection,
Natural Resources and Ecology
SP Member Alfredo S. Ching
Chair, Committee on Barangay Affairs
SP Member Reienel R. Ferrer
Chair, Committee on Youth Development

Sponsors : SP Member Jonas Glyn P. Labuguen
SP Member Gary A. Grepo
SP Member Clarissel J. Campana-Moral
SP Member Jowie S. Carampot
SP Member J-M Vergel M. Columna
SP Member Walter C. Martinez
SP Member Florencio D. Ayos
SP Member Vivencio Q. Lozares, Jr.
SP Member Richard R. Parin
SP Member Hernando M. Granados

PROHIBITING CERTAIN TYPES OF MOTOR VEHICLES, WHETHER FOR PUBLIC OR PRIVATE USE, FROM USING ANY MODIFIED FORM OF MUFFLERS CONTRIBUTING TO THE NOISE POLLUTION, AND PROVIDING PENALTIES FOR ANY VIOLATION THEREOF.

WHEREAS, under Article II, Section 15 of the New Constitution of the Philippines provides, that "The State shall protect and promote the right to health of the people and instill health consciousness among them";

WHEREAS, the City shall pursue the implementation of the provisions of Republic Act 8749 otherwise known as the Clean Air Act; together with Presidential Decree (PD) 984 or the Pollution Control Law; and PD 1152 or the Philippine Environmental Code which establish the standards for acceptable noise levels for communities as well as for noise-producing equipment;

WHEREAS, according to Article IV, Section 34 (j) of Republic Act 4136 also known as Land Transportation and Traffic Code, every motor vehicle propelled by an internal combustion engine shall be equipped with a muffler, and whenever said motor vehicle passes through a street of any city, municipality, or thickly populated district or barrio, the muffler shall not be cut out or disconnected. No motor vehicle shall be operated in such a manner as to cause it to emit or make any unnecessary or disagreeable odor, smoke or noise;

WHEREAS, the excessive noise is a serious hazard to the public health and welfare, and exposure to certain levels of noise can result in physiological, psychological and economic damage;

WHEREAS, the rampant proliferation of all type of vehicles which emit deafening roar coming from modified muffler is quite causing discomfort particularly during unholy hours and has created numerous complaints and public condemnation, thus, a relevant legislative measure that will address such concerns is deemed necessary in the City of General Trias; and

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Continuation...page 2 of City Ordinance No. 22-08 (General):

WHEREAS, Article 26 of Republic Act 386 also known as the Civil Code of the Philippines provides that every person shall respect the dignity, privacy, personality and peace of mind of his neighbors and other persons;

NOW THEREFORE, on motion of SP Member Isagani L. Culanding duly seconded by SP Member Kristine Jane M. Perdito-Barison,

Be it ordained by the Sangguniang Panlungsod, that:

SECTION 1. TITLE - This Ordinance shall be known and cited as "ANTI-MUFFLER MODIFICATION ORDINANCE".

SECTION 2. DECLARATION OF POLICY - It is hereby declared the policy of the City Government of General Trias to protect the health and well-being of the community members and as a primordial concern, it is imperative that rules are laid down and observed to protect them from the dangers of prolonged exposure to noise pollution by unregulated use of motor vehicles which by reason of lack of maintenance, deliberate tampering or inappropriate use, and have missing, defective, or modified mufflers, emit loud and unnecessary noise disturbing the peace and harmony of nature.

SECTION 3. DEFINITION OF TERMS -

DECIBELS - refers to a measure of sound level and is equal to 10 times the logarithm of the square of a measured sound pressure level (SPL) divided by a reference sound pressure; is a unit used to express the magnitude of sound pressure and sound intensity;

EMISSION - as defined under Clean Air Act, any air contaminant, pollutant, gas stream or unwanted sound from a known source which is passed to the atmosphere. For purpose of this Ordinance the term emission will primarily mean "unwanted sound" generated by any modified form of mufflers,

MODIFIED MUFFLER - refers to any aftermarket change/replacement of muffler from its original form which emit excessive and unreasonable noise,

MODIFICATION - means the act or process of changing parts of something; the act or process of modifying something; a change in something; as used in this Ordinance, the term "modification" also includes the removal or the tampering of something,

MOTORCYCLE - refers to any two-wheeled motor vehicle with at least one headlight, taillight and stoplight, and one or more saddle seats. For purposes of this Act, the term shall likewise include motorcycles to which are attached cars, commonly known as "tricycles",

MOTOR VEHICLE - refers to any vehicle propelled by gasoline engine or by any means other than human or animal power constructed and operated principally for the conveyance of persons or the transportation of goods in a public highway or street open for public use,

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Continuation...page 3 of City Ordinance No. 22-08 (General):

MUFFLER - refers to a device consisting of a series of chambers or other mechanical designs for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise,

NOISE - refers to any unnecessary, erratic, discordant loud or blaring sound which annoy, disturb, distract or offend the senses,

NOISE POLLUTION - refers to the emission of loud, excessive, disturbing, unhealthy sound amplification devices or equipment and/or other sources of sound such as, but not limited to commercial, industrial and construction activities, vehicle exhaust, mufflers, animal noise, and noise produced by human beings such as loud conversation and laughter and found to exceed the normal allowable decibel ratio,

NUISANCE - refers to anything that injures health, endangers life, offends the senses or produces discomfort to the community,

SOUND LEVEL - the sound pressure level (in decibels) at a point in a sound field,

SOUND LEVEL METER - measures sound pressure level and is commonly used in noise pollution for qualification of industrial and environmental noise,

UNNECESARY NOISE - any unusually loud sound that annoys, disturbs, or endangers the health, peace, safety and comfort of a person or causes injury or harm to human beings and animals alike,

UNREASONABLE LOUD NOISE - noise which substantially incompatible with the time and location to the extent that it creates an actual or imminent interference with peace and good order, and

UNWANTED OR DISTURBING SOUND - any sounds become unwanted when it either interferes with normal activities such as sleeping, conversation, or disrupts or diminishes one's quality of life.

SECTION 4. COVERAGE - This Ordinance shall cover all motor vehicle owners/drivers, whether public or private, including those already existing, travelling within the jurisdiction of the City of General Trias having a modified mufflers emitting excessive noise and unreasonable loud noise.

SECTION 5. PROHIBITED ACTS - It shall be unlawful for;

- 5.1 any person to use or operate any motor vehicle so modified as to cause loud and unnecessary or unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonably disturbing to the quiet, comfort or repose of other persons, and
- 5.2 any person to use or operate any motor vehicle that emits noise beyond the reasonable national standard of 99 decibels (dB) even if not modified taken at an engine speed of 2,000 to 2,500rpm.

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Continuation...page 4 of City Ordinance No. 22-08 (General):

SECTION 6. EXEMPTION - Motor vehicles not utilized for transport of goods and people but are merely used for sports competition, motor shows, and similar endeavors are hereby exempted from this Ordinance.

The provisions of this Ordinance shall not apply to any person or organizer operating a motor vehicle during a race competition or motocross competition and while it runs a racetrack, provided the person or organizer has acquired a written permission to the Local Chief Executive (LCE) and/or other concerned agencies and offices. Any such permission only extends to the person or organizer asking permission and over his motor vehicle for the specific race event applied for.

SECTION 7. ROLE OF BARANGAY - The Sangguniang Barangay shall serve and provide assistance in the effective implementation of this Ordinance within their respective territorial jurisdiction by reporting the offender to the offices or personnel deputized by the Local Chief Executive (LCE). They shall also encourage all auto supply and repair shop owners/ managers within their jurisdiction not to engage in selling and installing any modified muffler that emits excessive and unreasonable noise.

SECTION 8. PENALTIES - Any person who will found violating the provision of this Ordinance shall be imposed with a fine of:

First Offense	Php 1 000. 00 and confiscation of the modified muffler or exhaust pipe,
Second Offense	Php 2 000.00 and confiscation of the modified muffler or exhaust pipe, and
Third and Subsequent Offense	Php 3 000.00 and confiscation of the modified muffler or exhaust pipe.

SECTION 9. DISPOSITION OF CONFISCATED ITEMS - All confiscated items should be placed in General Trias Motorpool and/or General Trias Impounding Area. The implementing officers should have maintained the records of all violators and ascertain how many times an offender had violated the ordinance.

SECTION 10. IMPLEMENTING RULES AND REGULATIONS - The Office of the City Mayor, Personnel of General Trias City Philippine National Police (PNP), the City Traffic Management Division (CTMD), Barangay Officials and other offices or personnel as may be deputized by the LCE shall serve as the lead departments in the implementation and enforcement of this Ordinance. They shall adhere and coordinate with the Land Transportation Office (LTO) on how to implement the Ordinance properly.

SECTION 11. REPEALING CLAUSE - All orders, memoranda, rules and regulations, or any part of parts hereof, inconsistent with the provisions of this ordinance are hereby revoked or modified accordingly.

SECTION 12. SEPARABILITY CLAUSE - If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to be in full force and effect.

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Continuation...page 5 of City Ordinance No. 22-08 (General):

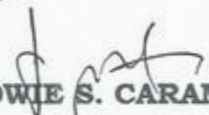
SECTION 13. EFFECTIVITY CLAUSE – This Ordinance shall take effect after its approval and compliance with posting and publication requirements under Section 59 of Local Government Code of 1991 (RA 7160).

ORDAINED under THIRD/FINAL READING on 23 FEBRUARY 2022.



JONAS GLYN P. LABUGUEN
SP Member



GARY A. GREPO
SP Member

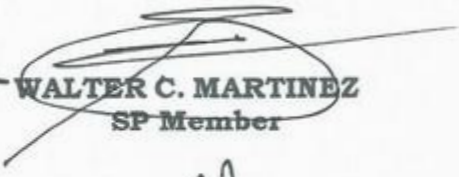

CLARISSEL J. CAMPAÑA-MORAL
SP Member


JOWIE S. CARAMPOT
SP Member



KRISTINE JANE M. PERDITO-BARISON
SP Member


ISAGANI L. CULANDING
SP Member


J-M VERGEL M. COLUMNA
SP Member

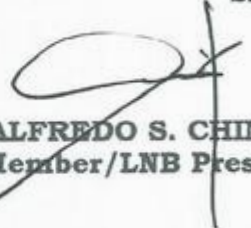

WALTER C. MARTINEZ
SP Member



FLORENCIO D. AYOS
SP Member


VIVENCIO Q. LOZARES, JR.
SP Member

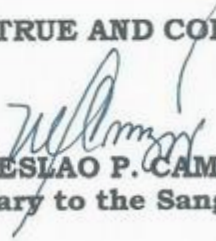

RICHARD R. PARIN
SP Member


HERNANDO M. GRANADOS
SP Member



ALFREDO S. CHING
SP Member/LNB President


REIENEL R. FERRER
SP Member/SKF President

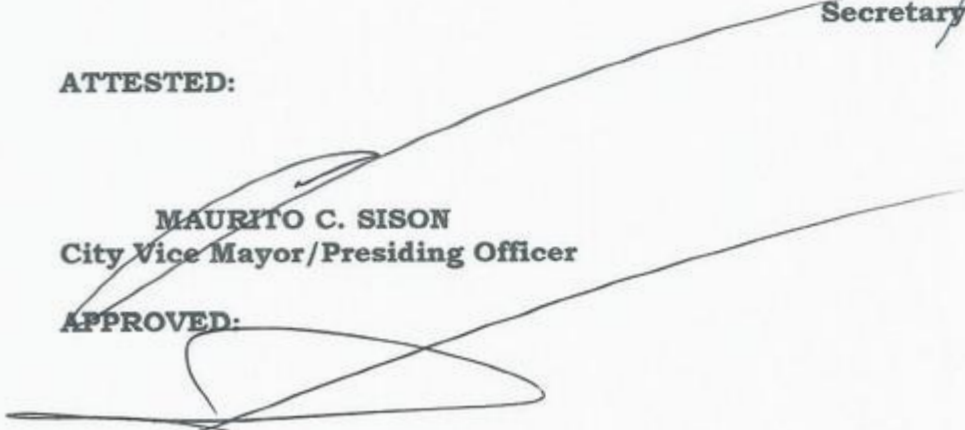
CERTIFIED TRUE AND CORRECT:


WENCESLAO P. CAMINGAY
Secretary to the Sanggunian

ATTESTED:


MAURITO C. SISON
City Vice Mayor/Presiding Officer

APPROVED:


ANTONIO A. FERRER
City Mayor

jnb/jmp/app/wpc

