



Republic of the Philippines
Municipality of Botolan
Province of Zambales
OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE MUNICIPAL SESSION HALL, BOTOLAN, ZAMBALES ON THE 15th DAY OF JANUARY, 2025

Present:

Hon. Doris D. Ladines

Presiding Officer

Regular Members

Hon. Nick L. Manzo

SB Member

Hon. Angel B. Diesta

SB Member

Hon. Dr. Fernando D. Igrobay

SB Member

Hon. Arthur R. Daria

SB Member

Hon. Marlo Thomas D. Doble

SB Member

Hon. Jay T. Dilag

SB Member

Hon. Eddie D. Daos

SB Member

Hon. Glenn C. Manangan

SB Member

Ex-Officio Members

Hon. Fernando D. Onate, Jr.

ABC President

Hon. Jessa Nicole B. Jaring

SK Mun. Fed. Chairman

Hon. Ladie M. De Leon

IPMR

Absent:

None

MUNICIPAL ORDINANCE NO. 02-2025

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE, KARAOKE, AMPLIFIED AUDIO DEVICES, AND LOUD SOUND SYSTEMS WITHIN THE TERRITORIAL JURISDICTION OF BOTOLAN, ZAMBALES

WHEREAS, Republic Act No. 386, An Act to Ordain and Institute The Civil Code of the Philippines, Preliminary Title Chapter 1 Article 26 says: Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons. The following and similar acts, though they may not constitute a criminal offense, shall produce a cause of action for damages and prevention;

WHEREAS, the excessive, unnecessary or usually loud sound from the said audio device beyond the limit of acceptable level within residences and on the streets, is deemed as noise pollution and cause annoyances, and disturbances, and injures and endangers the comfort, health, peace and safety of others within the municipality;

WHEREAS, with no face-to-face classes, students now have new learning modalities such as Online Classes, Modular Learning, and Blended Learning from the comforts of their home thus necessitating a quiet surroundings that is conducive to their new learning experience;

Now therefore, on motion of Hon. Nick L. Manzo, duly seconded and approved by all the members present;

BE IT ORDAINED, by the Sangguniang Bayan of Botolan, Zambales in session duly assembled that:

[Handwritten signatures of the Sangguniang Bayan members]



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SECTION 1. SHORT TITLE. This Ordinance shall be known as the “**VIDEOKE AND LOUD AUDIO ORDINANCE OF BOTOLAN**”

SECTION 2. DEFINITION OF TERMS

- (a) Videoke/Karaoke –an audio-visual device or machine popular in clubs, at parties, etc., in which the user sings along to pre-recorded instrumental versions of popular songs, the lyrics of which are displayed for the singer on a screen in time with the music.
- (b) Noise pollution – also known as noise disturbance; it is the disturbing excessive noise level that can still be heard after a distance of at least 50 meters from the source.
- (c) Online class - a course conducted over the internet. They are generally performed through a learning management system, in which students can view their course syllabus and academic progress, as well as communicate with fellow students and their course instructor.

SECTION 3. ALLOWED DAY AND TIME FOR THE USE AND OPERATION OF VIDEOKE OR KARAOKE MACHINE AND OTHER AUDIO/SOUND SYSTEMS AND PROHIBITION

The use and operation of videoke or karaoke, and other audio/sound systems such as amplified instruments and related devices in the Municipality of Botolan may only be allowed during:

Monday to Saturday	5pm to 10pm ✓
Sunday and school holidays	7am to 10pm ✓

In the use of the abovementioned audio systems, no person shall make or cause the production of any excessive, disturbing, unreasonable unnecessary sound in such manner or with such volume to annoy the quiet and comfort of a reasonable person of normal sensitivities in any dwelling or residence; or with the louder volume than is necessary for convenient hearing of the persons who are within the place in which such device or system is operated.

SECTION 4. SPECIAL PERMIT FOR EARLY USE AND EXTENSION OF TIME

- (a) Special Permit for the early use of videoke or karaoke machine and other amplified audio/sound systems outside of days and hours where these are prohibited must be filed with the barangay concerned at least three (3) working days before the actual date of the activity.
- (b) For personal occasions such as wedding celebration, birthday, baptism, homecoming, send-off (despedida) and the likes, extension of until 12:00 midnight may be granted by securing an extension permit from the respective barangay. The applicant must fill up an application form provided by the barangay and file it with the barangay at least three (3) working days before the actual date of the activity. The form should include the following information:

APPLICATION FOR SPECIAL PERMIT FOR EARLY USE AND/OR EXTENSION OF TIME	
Name of Applicant	e.g. Juan dela Cruz
Address	Tampo, Botolan
Contact No.	0900 123 4567
Nature of the Activity	Birthday Party
Type of audio device to be used/Number	Videoke machine (1)
Specific location where audio device will be used	Open yard, House of applicant
Date and time during which the device will be used	January 15, 2025. From 3pm to 10 pm
Others	Visitors may occupy half of street in front of applicant's house



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SECTION 5. EXEMPTION

This ordinance shall not apply for special occasions such as: Christmas, New Year, fiesta celebration, religious activities, political rallies, election-related activities, barangay sponsored events and the like including the night before said occasion in such case the operation of Videoke and other loud amplified sound is allowed under the supervision of the barangay so as not to deprive neighbors of a night sleep and rest.

SECTION 6. VIDEOKE AND KARAOKE BUSINESSES

- (a) Existing businesses or establishments that are engaged in entertainment and are located in dense mixed-use zones (commercial-institutional-residential) are required to provide effective soundproofing of their venues to maintain the tolerable noise level outside their establishments. When compliant, these businesses may operate beyond the prescribed day and time.
- (b) Existing businesses or establishments that are engaged in entertainment and located in so-called entertainment districts and/or far away from residential areas may be allowed not to soundproof their venues. When inspected and found compliant these businesses may operate beyond the prescribed day and time.

SECTION 7. FACTORS TO CONSIDER

In determining whether the sound is excessive, disturbing, unreasonable and/or unnecessary, and therefore considered as "noise pollution", the following factors incident to such sound may be considered, to wit:

- (a) Time and Day
- (b) Proximity to residential areas, schools or place of worship.
- (c) Whether the sound is recurrent, intermittent or constant.
- (d) Whether the sound has been enhanced in volume or range by the type of electronic or mechanical means; and
- (e) The character of the area

SECTION 8. ENFORCEMENT

The Barangay Council through its Barangay Police (Tanod) shall see to it that this Ordinance is fully implemented. On-duty Barangay Police (Tanod) members shall monitor the use of videoke or karaoke and other audio/sound systems in their area of responsibility by courteously approaching and telling the concerned parties to soften, lower the volume or eventually turn off the sound system whenever warranted. However, that if such reminders had been obviously ignored or taken for granted by the concerned parties, the member of the Barangay Police (Tanod) shall call the Botolan Police Station to intercede for and on behalf of the Barangay.

SECTION 9. PENALTIES.

- (a) Any person found violating the provisions of this ordinance shall be penalized by a fine of:

1 st Offense	-	Five hundred Pesos (Php500.00)
2 nd Offense	-	One Thousand Pesos (Php1,000)
3 rd Offense	-	Two Thousand Five Hundred Pesos (Php 2,500)

- (b) Any business found violating the provision under Section 5 will be penalized as follows:

1 st Offense	-	A fine of Five Hundred Pesos (Php 500) per day
2 nd Offense	-	Seven (7) days business suspension
3 rd Offense	-	Revocation of business permits upon failure to comply with such requirements



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SECTION 10. POSTING OF NOTICE. This Ordinance shall be posted in conspicuous and public places in the barangay for maximum dissemination.


SECTION 11. REPEALING CLAUSE. All ordinances, local rules and regulations which are inconsistent with or contrary to the provisions of this Ordinance are hereby modified, amended, or repealed accordingly.

SECTION 12. SEPARABILITY CLAUSE. If any provision or section of this ordinance is declared unconstitutional or invalid by a competent court, the other provisions or sections not affected shall remain or continue to be in full force and effect.


SECTION 13. EFFECTIVITY CLAUSE. This Ordinance shall take effect after 21 days from the date a copy is posted in the bulletin board at the entrance of the municipal hall and in at least two (2) other prominent places in the Municipality of Botolan.


UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the foregoing ordinance.

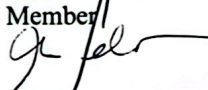

GLADYS D. DE VERA
Secretary to the Sanggunian


ATTESTED:


NICK L. MANZO
SB Member

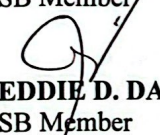

ANGEL B. DIESTA
SB Member

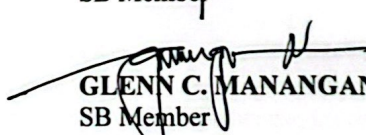

DR. FERNANDO D. IGROBAY
SB Member


ARTHUR R. DARIA
SB Member


MARLO THOMAS D. DOBLE
SB Member



JAY T. DILAG
SB Member

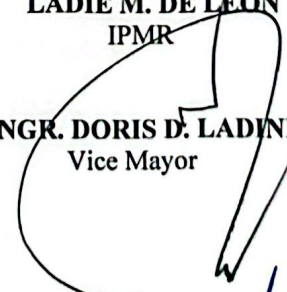

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FERNANDO D. OÑATE JR.
ABC President

JESSA NICOLE B. JARING
SK Mun. Federation President


LADIE M. DE LEON
IPMR


ENGR. DORIS D. LADINES
Vice Mayor

APPROVED:


JUN OMAR C. EBRANA
Municipal Mayor

FEB 14 2025