



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-351
PO21CC-351-A

45th Regular Session

ORDINANCE NO. SP- **2975**, S-2020

AN ORDINANCE PROHIBITING PUBLIC DISTURBANCE NOISES DURING SCHOOL HOURS FROM MONDAY TO FRIDAY, 7:00 A.M. UNTIL 5:00 P.M. IN QUEZON CITY AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilors IRENE R. BELMONTE, DIORELLA MARIA G. SOTTO-ANTONIO and EDEN DELILAH "Candy" A. MEDINA.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Franz S. Pumaren, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Rogelio "Roger" P. Juan, Donato "Donny" C. Matias, Eric Z. Medina, Freddy S. Roxas and Noe Dela Fuente.

WHEREAS, on 8 March 2020, President Rodrigo Roa Duterte issued Proclamation No. 922, declaring a State of Public Health Emergency throughout the Philippines because of the COVID-19 pandemic;

WHEREAS, on 13 March 2020, the Quezon City Council declared Quezon City under a State of Calamity due to the pandemic;

WHEREAS, on 16 March 2020, President Duterte declared the Enhanced Community Quarantine over the entire mainland Luzon to curb the spread of COVID-19, which imposed strict home quarantine, closed down non-essential businesses and restricted mobility among others;

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WHEREAS, in view of the prevailing public health situation that has significantly affected the education sector, National Education Authorities have implemented blended or hybrid learning, a combination of online distance learning in person delivery and printed materials to the learners and usage of television, radio broadcast aside from an alternative face to face learning;

WHEREAS, loud sounds, during online class hours and independent study period can disrupt pupils, students alike from concentrating on their online classes, school work, and activities;

WHEREAS, Chapter 7 of Section 2-A of Ordinance No. SP-2350, S-2014, otherwise known as Quezon City Environmental Code, prohibits excessive noise generated by business establishments and residents that exceed the maximum allowable noise level”;

WHEREAS, Article 26 of Republic Act No. 386, otherwise known as Civil Code of the Philippines, states that “Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons”;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as Local Government Code of 1991, provides that “Every Local Government unit shall exercise the powers necessary, xxx and those which are essential to the promotion of the general welfare. Local Government Units shall ensure and support, among other things, xxx, and preserve the comfort and convenience of their inhabitants”;

WHEREAS, the Department of Education orders the “no face to face” class during COVID-19 pandemic and shifted to synchronous and asynchronous mode of learning through online platform;

WHEREAS, public disturbance noise has big impact to our students particularly during school hours especially that they conduct their study at home;

WHEREAS, the noise-induced complications hinder the teacher-student communication during online classes and eventually affect the learning process;

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WHEREAS, most of the teachers belong to a group that uses the voice professionally and that needs to have special care including the attainment of educational programs focusing the prevention of vocal problems, as well as the use of several resources for online classes;

WHEREAS, online class which have a public disturbance noise, the teacher and the student have to literally compete for audibility with the noise interruptions which will be strenuous and may cause health risks to teachers as well as the students;

WHEREAS, one of the sources of noise comes from singing through videoke machines and gadgets that produce loud sounds;

WHEREAS, the Quezon City Government recognizes that the prevention of public disturbance noises may be implemented and begin through every locality or the barangays.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE. - This Ordinance shall be known as the "Anti-Noise Ordinance."

SECTION 2. DEFINITION OF TERMS. - As used in this Ordinance, the following terms shall mean as follows:

- a. Public Disturbance Noises - refers to the emission of loud, excessive disturbing and unhealthy sound, amplification beyond human tolerance emanating from sound amplification devices or equipment and/or other sources of sounds such as but not limited to commercial, industrial and construction activities, vehicle exhaust, mufflers, animal noise and noise produced by human being such as loud conversations, laughters, found to exceed normal allowable decibel ratio.
- b. Online Class - is a course conducted over the Internet, generally conducted 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 instruction.

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- c. *School Hours - the time period when students and teachers are in session or class that starts from 7:00 a.m. to 5:00 p.m., Mondays to Fridays.*

SECTION 3. PROHIBITED ACTS. - It is prohibited for any person, natural or juridical, within the territorial jurisdiction of Quezon City, to engage in any activities that produces loud, excessive, disturbing, unhealthy sound amplification beyond human tolerance that contribute to the public disturbance that disrupt the conduct of online class such as, but not limited to, the use of videoke, live bands with sound system and the like that affects the students during school hours from 7:00 A.M. to 5:00 P.M., Mondays to Fridays.

SECTION 4. IMPLEMENTING AGENCY. - The Barangay and Community Relations Department (BCRD), in coordination with the Department of Public Order and Safety (DPOS) and the Environmental Protection and Waste Management Department (EPWMD), is hereby tasked to perform the proper enforcement of this Ordinance. The Barangay Public Safety Officers (BPSO) shall be deputized in the event that the DPOS personnel are not available.

SECTION 5. PENALTY CLAUSE. - Any person found violating the provisions of this Ordinance shall be penalized as follows:

- a. *First Offense - Fine of Three Hundred Pesos (Php300.00);*
- b. *Second Offense - Fine of Five Hundred Pesos (Php500.00);*
and
- c. *Third Offense - One Thousand Pesos (Php1,000.00) and/or One (1) Month of Imprisonment.*

SECTION 6. IMPLEMENTING RULES AND REGULATIONS. - Within thirty (30) days upon approval of this Ordinance, the City Mayor shall cause the issuance of the Implementing Rules and Regulations (IRR) as are necessary for the effective implementation of this Ordinance.

SECTION 7. SEPARABILITY CLAUSE. - If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

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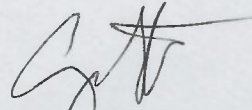
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SECTION 8. REPEALING CLAUSE. - All ordinances, resolutions, local executive orders, or administrative issuances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

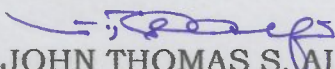
SECTION 9. EFFECTIVITY. - This Ordinance shall take effect on the day following its required publication in a newspaper of general circulation.

ENACTED: October 19, 2020.




GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

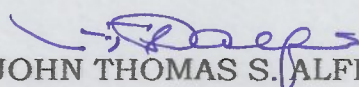
APPROVED: NOV 10 2020



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on October 19, 2020 under Suspended Rules and was PASSED on Third/Final Reading on the same date.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

