

Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

PO2001-321
PO2001-288

32nd Regular Session

ORDINANCE NO. SP- 1153, 2002

AN ORDINANCE PRESCRIBING THE SOUND PROOFING OF ALL BUSINESS ESTABLISHMENTS IN THE CITY OPERATING WITH LIVE BANDS, KARAOKE BARS, JAZZ BANDS, DISCOTHEQUES AND SIMILAR ESTABLISHMENTS.

Introduced by Councilors JESUS "Bong" C. SUNTAY, JANET M. MALAYA, VINCENT P. CRISOLOGO, VICTOR V. FERRER, JR., ELIZABETH A. DELARMENTE, BERNADETTE HERRERA-DY, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ERIC Z. MEDINA, JULIAN ML. COSETENG, WENCEROM BENEDICT C. LAGUMBAY, DANTE M. DE GUZMAN and RESTITUTO B. MALAÑGEN.

WHEREAS, Section 16, Republic Act 7160, otherwise known as the 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 loud, disturbing and unhealthful noise coming from the private establishments operating with live bands, karaoke bars using loud speakers have been the subject of complaints from residents living within the vicinity;

WHEREAS, the residents living thereat already have a second thought of transferring to a more peaceful place to settle considering that their residence have been reclassified into a commercial area, thereby allowing therein the establishments of live band and karaoke bars;

WHEREAS, due to the growing complaints received by the barangays of this City on matters of this nature, the City government is mandated to adopt a possible solution to these problems.

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NOW, THEREFORE,

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

SECTION 1 - TITLE - This Ordinance shall be known as AN
ORDINANCE PRESCRIBING FOR THE SOUND-PROOFING OF ALL
BUSINESS ESTABLISHMENTS IN THE CITY OPERATING WITH LIVE
BANDS, KARAOKE BARS, JAZZ BANDS, DISCOTHEQUES AND SIMILAR
ESTABLISHMENTS.

SECTION 2 - PRESCRIBED ACTS - Any person, natural as well as
juridical, within the territorial jurisdiction of Quezon City, who is engaged in the
business or owns establishments operating with live bands, karaoke bars, jazz
bands, discotheques or similar establishments, using loud speaker systems shall
install sound-proofing of walls, floors, ceilings and roofings.

SECTION 3 - All existing business establishments subject to this ordinance
are hereby given six (6) months within which to comply with the provisions
hereof. Provided, however, that the provisions of this ordinance shall immediately
apply to all those which shall be constructed, established and operated upon
approval of this ordinance.

SECTION 4 - The Business Permit and Licensing Office (BPLO) in
coordination with the Department of Public Order and Safety (DPOS) is hereby
tasked for the proper enforcement of this ordinance.

SECTION 5 - PENALTY CLAUSE - There shall be imposed the following
penalty for any violation of this ordinance, to wit:

First Apprehension - Any person found violating any of the
provisions of this Ordinance shall, upon conviction, be penalized by
imprisonment of not less than thirty (30) days or a fine of not more
than One Thousand Pesos (P1,000.00) or both imprisonment and
fine, at the discretion of the Court.

Second Apprehension - Any person found violating any of the
provisions of this Ordinance shall, upon conviction, be penalized by
imprisonment of not less than three (3) months or a fine of not more
than Three Thousand Pesos (P3,000.00), or both imprisonment and
fine at the discretion of the Court.

Third Apprehension - Any person found violating any of the
provisions of this Ordinance shall, upon conviction, be penalized by
imprisonment of not less than five (5) months or a fine of not more
than Five Thousand Pesos (P5,000.00), or both imprisonment and
fine at the discretion of the Court.

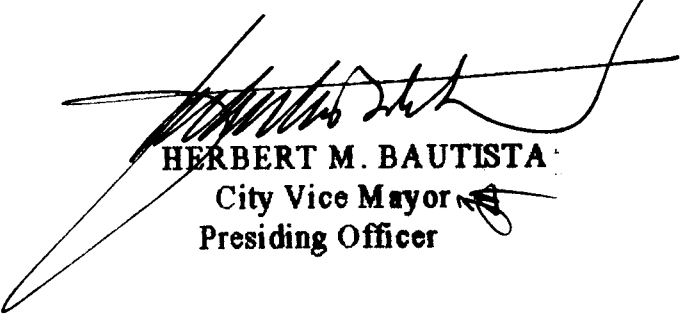
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SECTION 6 - SEPARABILITY CLAUSE - If any provision or part hereof is held invalid or unconstitutional, the remainder of the ordinance or the provision not otherwise affected shall remain valid and subsisting.


SECTION 7 - REPEALING CLAUSE - All provisions of orders, decrees, including rules and regulations and local legislative measures inconsistent herewith are hereby repealed or modified accordingly.

SECTION 8 - EFFECTIVITY CLAUSE - This ordinance shall take effect upon its approval.

ENACTED: May 14, 2002.


HERBERT M. BAUTISTA
City Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

APPROVED: June 27, 2002


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on May 14, 2002, was finally PASSED by the City Council on May 28, 2002.


EUGENIO V. JURILLA
City Council Secretary