



OFFICE OF THE SANGGUNIANG BAYAN
TWELFTH SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE 51ST REGULAR SESSION OF THE HONORABLE
SANGGUNIANG BAYAN OF TRENTO HELD AT THE SB SESSION HALL, TRENTO, AGUSAN
DEL SUR ON AUGUST 15, 2017**

PRESENT: Hon. Edcil Marie D. Pagayon Sangguniang Bayan Member
Hon. John Arbee A. Agcopra Sangguniang Bayan Member
(Temporary Presiding Officer)
Hon. George G. Diel Sangguniang Bayan Member
Hon. Permita B. Lamberto Sangguniang Bayan Member
Hon. Rose P. Mabunga Sangguniang Bayan Member
Hon. Edgar C. Abiao Ex-Officio Member (ABC President)

ABSENT: NONE

ON OFFICIAL BUSINESS:
Hon. Felimon S. Marte Municipal Vice Mayor

**"MUNICIPAL ORDINANCE NO. 026
Series of 2017**

**AN ORDINANCE AMENDING SECTION 5 OF MUNICIPAL ORDINANCE NO. 016-2017,
"AN ORDINANCE PROHIBITING THE USE OF BORA-BORA MUFFLER OR ANY OTHER
MOTORCYCLE DEVICES THAT AMPLIFIES THE REGULAR MUFFLER THAT WOULD
CREATE EXTRA LOUD NOISE IN THE MUNICIPALITY OF TRENTO, AGUSAN DEL SUR**

Author: HON. GEORGE G. DIEL

Be it Ordained by the Sangguniang Bayan in session assembled that:

SECTION 1. Section 5 of Municipal Ordinance No. 016-2017 is hereby amended as follows:

- | | |
|---------------------|--|
| a) First Violation | Php1,000.00 |
| b) Second Violation | Impoundment of the said motorcycle will only be released upon replacement of the modified muffler by a new one which is allowed or its original muffler. |

SECTION 2. Municipal Ordinance No. 016-2017, as amended by Municipal Ordinance No. 026-2017 shall now read as follows:

Section 1. Title. – This Ordinance shall be known and cited as the Anti-Muffler Modification Ordinance of 2017.

Section 2. Definition of Terms. – As used in this ordinance, the term:

- a) "Decibel" is a unit used to express the magnitude of sound pressure and sound intensity, based on a logarithmic scale, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure of 20 micropascals.
- b) "dB(A)" means the sound pressure level in decibels measured on the "A" scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI s1.4-1971.
- c) "Motor vehicle" refers to any vehicle propelled by any power other than muscular power, using a road whether publicly maintained or privately owned, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes, vehicles which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes.
- d) "Muffler" means 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.

Section 3. Prohibition. – Except as otherwise provided in Section 4 hereof, it shall be unlawful for

- (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 for

- (2) Any person to use or operate any motor vehicle that emits noise higher than 84 dB(A) even if not modified, measured at a distance of ten (10) meters from the center of the lane of travel.

The modification of any noise abatement device, such as a muffler, on any motor vehicle or engine, or the failure to maintain same so that the noise emitted by such vehicle or engine is increased above that emitted by such vehicle as originally manufactured shall be in violation of this section. Furthermore, all such noises in excess of the dB(A) as provided herein shall be prima facie evidence that such noise is loud and unnecessary or unreasonable and is therefore in violation of this ordinance.

Section 4. Exception. Section 3 shall not apply to any person operating a motor vehicle during a race and while it runs on a racetrack, provided the person has acquired written permission from the Mayor.

Section 5. Penalties. – The following penalties shall be imposed upon any person for commission of any of the prohibited acts under Section 3 hereof:

- | | |
|---------------------|--|
| a) First Violation | Php 1,000.00 |
| b) Second Violation | Impoundment of the said motorcycle will only be released upon replacement of the modified muffler by a new one which is allowed or its original muffler. |

Section 6. Separability. – Should any provision of this ordinance be declared by a court of competent jurisdiction to be illegal, unconstitutional or invalid the other provisions not so affected shall remain valid and effective.

Section 7. Repealing Clause. – All which ordinances and other municipal issuances, or any part or parts thereof, which are inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 8. Effectivity. – This ordinance shall take effect immediately upon approval hereof.

SO ORDAINED / ENACTED.

ADOPTED this 15th day of August, 2017.

CERTIFIED CORRECT:

KENNETH CARL B. ROMO

Administrative Aide IV
Temporary Secretary to the Sanggunian

ATTESTED BY:

JOHN ARBEE A. AGCOPRA

SB Member
Temporary Presiding Officer

APPROVED:

WILLIAM E. CALVEZ, CE

Municipal Mayor

Date signed: 8-25-17