



Republika ng Pilipinas

Lungsod ng Caloocan



TANGGAPAN NG SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 0643 S. 2016

(PROPOSED ORDINANCE No. 10-005)

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE AND KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND DEVICES IN PUBLIC STREETS OF THE CITY OF CALOOCAN, ALLOWING THE USE FROM 10:00A.M. TILL 10:00P.M. ONLY, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

SPONSORED BY:

Hon. AURORA "ONET" A. HENSON, JR.

CO-SPONSORED BY:

**Hon. CARMELO F. AFRICA III, Hon. DEAN ASISTIO, Hon. CHRISTOPHER E. MALONZO,
Hon. MARYLOU "ALOU" NUBLA, Hon. EDGARDO N. ARUELO, Hon. LUIS O. ASISTIO III,
Hon. TOLENTINO J. BAGUS, Hon. CAROLYN C. CUNANAN, Hon. MA. MILAGROS "ROSE" S. MERCADO,
Hon. ROBERTO R. SAMSON and Hon. MARC MERVILLE T. OROZCO**

WHEREAS, Section 16 of the Local Government Code of 1991, partly states that: "Every Local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare";

WHEREAS, barangay residents are accustomed to utilizing open spaces like public streets and road sides to gain wider area for private activity or function, often making use of videoke or karaoke machines or other similar amplified audio devices, usually sheltered in collapsible tents as a form of amusement or recreation;

WHEREAS, the excessive, unnecessary or unusually loud sound from the said audio devices 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 city.

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE AND KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND DEVICES IN PUBLIC STREETS OF THE CITY OF CALOOCAN, ALLOWING THE USE FROM 10:00A.M. TILL 10:00P.M. ONLY, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

=====

NOW, THEREFORE, BE IT ORDAINED, as it is hereby ordained by the Sangguniang Panlungsod of Caloocan City, in session duly assembled, THAT:

SECTION 1. TITLE – This Ordinance shall be known as the
“VIDEOKE REGULATION ORDINANCE OF CALOOCAN CITY.”

SECTION 2. DEFINITION OF TERMS

(a) Video Karaoke Machine/Unit – Any equipment or musical contrivance comprising of a television set or monitor, video player, amplifier, speakers, microphones and any sound system used for sing-along whereby lyrics of a song with accompanying visual backdrops are seen on a monitor or screen.

(b) Noise Pollution – also known as noise disturbance; is the disturbing or excessive noise level and that which can still be heard after a distance of at least 50 feet from the source.

SECTION 3. ALLOWED HOURS FOR THE USE AND OPERATION OF VIDEOKE MACHINE AND OTHER SOUND SYSTEM; AND PROHIBITONS.

The use and operation of videoke, karaoke, and other audio/sound system in public streets or road sides in the City may only be allowed only from 10:00 am until 10:00 pm.

No person shall make, or cause to be made any excessive, disturbing, unreasonable and unnecessary sound from videoke machine or other sound system such as karaoke, radio, CD player, television sets, amplified musical instrument, drums, loudspeaker, or other sound-producing device in such manner or with such volume so as to annoy the quiet and comfort of a reasonable person of normal sensitivities in any dwelling or residence; or with louder volume than is necessary for convenient hearing of the persons who are in the place in which such device is operated, and:

- (a) near the places of worship, and during worship hours.
- (b) near schools, during school hours.
- (c) residential areas.

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE AND KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND DEVICES IN PUBLIC STREETS OF THE CITY OF CALOOCAN, ALLOWING THE USE FROM 10:00A.M. TILL 10:00P.M. ONLY, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

=====

SECTION 4. EXEMPTIONS.

- (a) Special Permits for extension of time for special occasions such as: Christmas, New Year, Fiesta celebration, barangay sponsored activities and the like, including the night before said occasion, may be granted by the City Mayor but not later than 12:00 midnight.
- (b) For personal occasions such as birthday celebrations, extensions of until 12:00 midnight may be granted by securing an extension permit from the respective Barangay. The applicant must fill out an application form provided by the barangay and file it with the barangay at least five working days before the actual date of the function. The form should include the following information: the nature of the intended activity, the type of audio device to be used, the specific location where the device will be used, and the period of time during which the device will be operated.

SECTION 5. VIDEOKE BUSINESSES.

Existing businesses or establishments that are engaged in entertainment are required to provide effective soundproofing of their establishments to maintain the tolerable noise level outside their establishments.

Non-compliance will be charged of the following: a) FIVE HUNDRED PESOS (Php 500) fine per day after the deadline set by the BPLO; b) seven (7) days business suspension; c) revocation of business permit upon failure to comply with such requirements after thorough investigation.

SECTION 6. 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 of the Day;
- b. Proximity to residential area, school or place of worship;

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE AND KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND DEVICES IN PUBLIC STREETS OF THE CITY OF CALOOCAN, ALLOWING THE USE FROM 10:00A.M. TILL 10:00P.M. ONLY, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

=====

- c. Whether the sound is recurrent, intermittent or constant;
- d. The volume and intensity;
- e. Whether the sound has been enhanced in volume or range by any type of electronic or mechanical means; and
- f. The character of the area.

SECTION 7. ENFORCEMENT AND ABATEMENT. – One (1) hour before 10:00 in the evening, the members of the barangay tanod on-duty shall courteously approach and remind the concerned parties to soften or lower the volume and eventually turn off the videoke or sound system at 10:00 P.M. except for those who have secured special permits from their respective barangays. However, that if such reminder has been obviously ignored or taken for granted by the concerned parties for the second time, the members of the barangay tanod shall call the police to intercede for and on behalf of the barangay.

SECTION 8. PENALTY. – Any person found violating the provisions of this Ordinance shall be penalized by a fine of five thousand pesos (P5,000.00) or imprisonment of thirty (30) days, or both such fine and imprisonment, at the discretion of the court.

SECTION 9. SEPARABILITY CLAUSE – If any section or provision of this Ordinance is declared unconstitutional or invalid by a competent court, other sections or provisions not affected thereby shall continue to be in full force and effect.

SECTION 10. REPEALING CLAUSE – All ordinances, resolutions, local rules and regulations which are inconsistent with or contrary to the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 11. EFFECTIVITY – This Ordinance shall take effect after its publication once in a newspaper of general or local circulation.

AN ORDINANCE REGULATING THE USE AND OPERATION OF VIDEOKE AND KARAOKE MACHINES AND OTHER SIMILAR AMPLIFIED AUDIO SOUND DEVICES IN PUBLIC STREETS OF THE CITY OF CALOOCAN, ALLOWING THE USE FROM 10:00A.M. TILL 10:00P.M. ONLY, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

=====

**ENACTED BY THE SANGGUNIANG PANLUNGSOD, CITY OF CALOOCAN AT ITS
REGULAR SESSION HELD ON THE 9TH DAY OF NOVEMBER 2016.**

HON. CARMELO F. AFRICA III
CITY COUNCILOR

HON. EDGARDO N. ARUELO
CITY COUNCILOR

HON. DEAN ASISTIO
CITY COUNCILOR

HON. LUIS O. ASISTIO III
CITY COUNCILOR

HON. AURORA "ONET" A. HENSON, JR.
CITY COUNCILOR

HON. TOLENTINO J. BAGUS
CITY COUNCILOR

HON. CHRISTOPHER E. MALONZO
CITY COUNCILOR

HON. CAROLYN C. CUNANAN
CITY COUNCILOR

HON. MARYLOU Z. NUBLA
CITY COUNCILOR

HON. MA. MILAGROS "ROSE" S. MERCADO
CITY COUNCILOR

(ON LEAVE)

HON. ANNA KARINA TEH
CITY COUNCILOR

HON. ROBERTO R. SAMSON
CITY COUNCILOR

HON. MARC MERVILLE T. OROZCO
CITY COUNCILOR

APPROVED BY HIS HONOR, THE CITY MAYOR ON _____, 2016.

APPROVED BY:

CERTIFIED BY:

HON. OSCAR G. MALAPITAN
City Mayor

HON. LUIS MACARIO E. ASISTIO
Presiding Officer

ATTESTED BY:

LILIBETH M. LUAKIAN
Secretary to the Mayor

LORENZO O. SUNGA, JR.
Secretary
Sangguniang Panlungsod