



Republic of the Philippines  
Province of Isabela  
**MUNICIPALITY OF PALANAN**

**OFFICE OF THE SANGGUNIANG BAYAN**

Literal copy of **Municipal Ordinance No. 2021 -086** approved by the Sangguniang Bayan of Palanan, Isabela in its **Regular Session** on **February 22, 2021** held at the Legislative Session Hall, this Municipality.

*Sponsored by: HON. EARL JOHN ANGELO S. BERNARDO, Sangguniang Bayan Member*

**MUNICIPAL ORDINANCE NO. 2021-086**

**AN ORDINANCE REGULATING THE USE AND OPERATION OF MOTOR VEHICLES WITH MODIFIED MUFFLERS WITHIN THE MUNICIPALITY OF PALANAN AND PRESCRIBING PENALTIES THEREOF.**

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

**WHEREAS**, there is a need to make people act responsibly over the use of their motor vehicles so as not to cause disturbance and annoyance to the public;

**WHEREAS**, motor vehicles are originally equipped with silencers or mufflers for anti-noise pollution reasons; however, a number of vehicle owners remove these silencers or modify their mufflers to make the sound emitted by the exhaust pipes louder;

**WHEREAS**, there are some motor vehicles with loud and roaring mufflers oftentimes causes serious discomfort especially during unholy hours and has created numerous complaints and public condemnation;

**NOW THEREFORE, BE IT ORDAINED** by the Sangguniang Bayan of Palanan, Isabela in session duly assembled that:

**SECTION 1. SHORT TITLE.** This ordinance shall be known as the " Anti-Modified Muffler Ordinance"

**SECTION 2. DEFINITION OF TERMS.** As used in this Ordinance, the following terms shall be construed as follows:

**MUFFLER** – is a device for reducing the amount of noise emitted by the exhaust of an internal combustion engine; also termed as " silencer" in British English.

**MODIFICATION** – is the act or process of charging parts of something; the act or process of modifying something; as used in this ordinance, the term "modification" also includes the removal or the tampering of something.

**MODIFIED MUFFLER** – is a muffler look-a-like but without its silencer component having them removed/tampered, which results to a loud noise or engine.

**MOTOR VEHICLE** – is a self-propelled road vehicle and off-road vehicle commonly wheeled, that does not operate on rails such as trains or trams and used for commercial purposes on the highways in the transportation of passengers, or passenger and property.

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SB MEMBER

MICHAEL JOHN D. BERNARDO  
SB MEMBER

ROBERT B. NERI  
SB MEMBER

PACITA MONA Q. ATANACIO  
SB MEMBER

RONNIE A. ATIENZA  
SB MEMBER

ANGELINA A. BERNARDO  
LNB PRESIDENT

JUSTIN MERRY S. BERNARDO  
SK FEDERATION PRESIDENT

GLORIA D. CAULIAN  
SB MEMBER

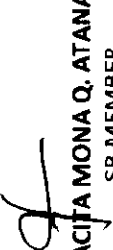
CRISELDA S. DELA PENA  
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**DECIBEL** – is a unit used to express the magnitude of sound pressure and sound intensity.

**“dB(A)”** – means the sound pressure level in decibels measured on the “A” a scale of a standard sound level meter.

**SECTION 2. SCOPE** – This ordinance shall cover:

- a. all motor vehicle owners/drivers;
- b. having a modified muffler;
- c. mufflers emitting excessive and unreasonable loud noise;
- d. travelling within the territorial jurisdiction of this Municipality.

**SECTION 3. DECLARATION OF POLICY.** It shall be the policy of the Municipality of Palanan to adhere, promote, uphold and maintain orderly and peaceful environment within its territorial jurisdiction for the general welfare of its constituents particularly the elderly.

**SECTION 4. NUISANCE.** Any motor vehicle with modified muffler shall be considered a nuisance, a *prima facie* evidence of a violation and its user/owner shall be apprehended or cited for violation by any authorized traffic enforcer, police authority and/or their deputized force multipliers who shall automatically act *motu proprio* without need for the use of **Sound-Level-Meter**.

**SECTION 5. PROHIBITIONS.** Except otherwise, it shall be unlawful to:

- a) Any person to use or operate any motor vehicle so modified or with removed muffler as to cause loud and unnecessary or unreasonable noise including the noise resulting from exhaust, which is clearly audible from nearby properties and unreasonable disturbing to the quiet, comfort or repose other person;
- b) Any person to use or operate any motor vehicle that emits noise higher than **80 dB (A)** even if not modified.

**SECTION 6. EXCEPTION.** Section 5 shall not apply to any person or organizer operating a motor vehicle during a race competition or motocross competition and while it runs a racetrack, provided the person or organizer has acquired a written permission from the Office of the Mayor. Any such permission only extends to the person or organizer asking permission and over his motor vehicle for the specific race.

**SECTION 7. RESPONSIBILITY OF SELLER/RETAILERS OF VEHICLE PARTS REPAIR SHOPS' OWNERS/MANAGERS.** It shall be their duty to inform their buyer/customers of the existence and enforcement of this Ordinance within the Municipality. The seller/retailer are likewise hereby discouraged to sell open-typed-mufflers, whether branded or not.

**SECTION 8. PENALTY.** Violation of this Ordinance shall be penalized accordingly, to wit:

- First Offense - Fine of One Thousand Five Hundred Pesos (P 1,500.00);
- Second Offense - Fine of Two Thousand Five Hundred Pesos (P 2,500.00) and confiscation of modified muffler.

Motor vehicle shall be released unless a non-modified muffler shall be installed by the owner/driver of the impounded vehicle. For each violation, however, the motor vehicle with modified muffler shall be impounded until the corresponding administrative fine is settled.

**SECTION 9. IMPOUNDING FEE.** In addition to the administrative fine, an impounding fee of **One Hundred (P100.00) per day**, computed in a daily basis shall be charged against the violator of this ordinance.

**SECTION 10. FORMULATION AND IMPLEMENTATION:**

- a. The PNP Palanan Police Station to fully implement this ordinance and mandated to coordinate with the Land Transportation Office (LTO) for the proper implementation of this ordinance.
- b. The Barangay Officials within their jurisdiction, in coordination with the Barangay Tanods shall effectively implement this ordinance and arrest the offender and responsible to deliver the same to the authorities mentioned.


**SECTION 11.** An initial funding shall be sourced-out from the MOOE of the Municipal Mayor for the procurement of Sound Level Meter and implementation of this ordinance.

**SECTION 12. SEPARABILITY CLAUSE.** Should any provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, the provision not so affected shall remain valid and effective.

**SECTION 13. REPEALING CLAUSE.** All ordinances or parts thereof inconsistent with the provision of this ordinance are hereby repealed and modified accordingly.


**SECTION 14. EFFECTIVITY CLAUSE.** This ordinance shall take effect fifteen (15) days after posting and publication.


I **HEREBY CERTIFY** that the foregoing ordinance was duly enacted by the Sangguniang Bayan of Palanan, Isabela during its **Regular Session** on **February 22, 2021**.

  
**NELIA ALAMO-PLATA**  
 Secretary to the Sanggunian

**ATTESTED AND CERTIFIED TO BE DULY ADOPTED:**

**APPROVED:**

  
**RONNIE A. ATIENZA**  
 Sangguniang Bayan Member/  
 Temporary Presiding Officer

  
**ELIZABETH B. OCHOA**  
 Municipal Mayor  
 Date: 02-24-2021

  
**ANGELINA A. BERNARDO**  
 LNB PRESIDENT

  
**JUSTIN KERAN**  
 SK FEDERATION PRESIDENT

  
**GLORIA D. CAULIAN**  
 SB MEMBER

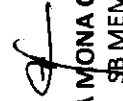
  
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