

Republika ng Pilipinas
Lungsod ng Dagupan
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
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EXCERPT FROM THE MINUTES OF THE 13th REGULAR SESSION OF THE 12th SANGGUNIANG PANLUNGSOD, DAGUPAN CITY, HELD AT THE SP SESSION HALL ON AUGUST 26, 2025.

PRESENT:

Hon. Dean Bryan L. Kua	City Vice Mayor & Presiding Officer
Hon. Jose Netu M. Tamayo	Presiding Officer Pro Tempore, Member
Hon. Karlos Liberato E. Reyna IV	Deputy Presiding Officer Pro Tempore, Member
Hon. Michael B. Fernandez	Floor Leader, Member
Hon. Jeslito C. Seen	Assistant Floor Leader, Member
Hon. Christel Hilary U. Paras	City Councilor, Member
Hon. Jalice D. Cayabyab, M.D.	City Councilor, Member
Hon. Bradley Claude C. Benavides	Pederasyon ng mga Sangguniang Kabataan President, Ex-Officio Member

ABSENT:

Hon. Danielle Francine B. Canto	City Councilor, Member (O.B.)
Hon. Luis M. Samson, Jr.	City Councilor, Member (O.B.)
Hon. Marvin DV. Fabla	City Councilor, Member (O.B.)
Hon. Maria Librada Fe M. Reyna	City Councilor, Member (On Leave)
Hon. Marcelino DS. Fernandez	Liga ng mga Barangay President, Ex- Officio Member, (O.B.)

ORDINANCE NO. 2337-2025

AN ORDINANCE BANNING THE INSTALLATION, SALE, AND USE OF MODIFIED OR NOISY MUFFLERS IN ALL TYPES OF MOTOR VEHICLES WITHIN THE CITY OF DAGUPAN, PROVIDING STANDARDS FOR ITS IMPLEMENTATION, LIMITATIONS AND RESTRICTIONS, PRESCRIBING INTERNAL RULES AND GUIDELINES, DESIGNATING RESPONSIBLE OFFICES AND OFFICERS, MANDATING AN INFORMATION AND EDUCATION CAMPAIGN, AND PRESCRIBING PENALTIES THEREFOR.

On motion of Councilor Michael B. Fernandez, duly and jointly seconded by Councilors Christel Hilary U. Paras and Jose Netu M. Tamayo, be it ordained by the Sangguniang Panlungsod of the City of Dagupan in its regular session assembled that:

SECTION 1. TITLE

This Ordinance shall be known as the "*Dagupan City Noisy Muffler Ban Ordinance of 2025.*"

SECTION 2. DECLARATION OF POLICY

It is the declared policy of the City of Dagupan to safeguard the peace, comfort, and health of its residents by prohibiting the use of modified or noisy mufflers that produce excessive or unnecessary noise pollution, consistent with the powers granted under Section 16 of the Local Government Code (RA 7160), Republic Act No. 4136 (Land Transportation and Traffic Code), and applicable DENR and DOTr/LTO standards.

SECTION 3. DEFINITION OF TERMS

- Muffler – a device installed in the exhaust system of a motor vehicle to minimize noise and back pressure.
- Noisy Muffler – any muffler, silencer, or exhaust device that emits sound exceeding ninety-nine decibels (99 dB) at 2,000-2,500 rpm, or as may be set by DENR, DOTr, or LTO standards.
- Modified or Open Muffler – a muffler or exhaust altered, cut, removed, or replaced to increase noise output beyond prescribed limits.
- Aftermarket Muffler – a non-original exhaust part installed in a vehicle that alters factory-set noise levels.
- Sound Level Meter – a calibrated instrument used to measure decibel levels according to ANSI standards (A-weighting, 0.5m at 45° from exhaust outlet).
- Prima Facie Violation – the visible presence of a cut, open, or modified muffler that reasonably indicates a violation even without a decibel test.

SECTION 4. PROHIBITED ACTS

It shall be unlawful within the City of Dagupan to:

- a) Install or cause the installation of noisy or modified mufflers in any motor vehicle;
- b) Operate or drive a motor vehicle equipped with such mufflers on public or private roads;
- c) Sell, distribute, or display noisy mufflers or components intended to amplify vehicle noise.

SECTION 5. ENFORCEMENT AUTHORITY

The following are designated as Implementing offices:

1. The Dagupan City Police (PNP) and Public Order and Safety Office (POSO) – lead and assist in apprehension, seizure, and reporting.
3. Barangays – report violators, discourage sale/installation, and assist in information campaigns.
4. City Environment and Natural Resources Office (CENRO) – provide technical support, particularly on noise standards and calibration of sound level meters.
5. City General Services Office (GSO) – responsible for custody, inventory, and proper disposal/destruction of confiscated mufflers.

SECTION 6. MEASUREMENT STANDARDS AND GUIDELINES

1. Noise testing shall be conducted using a calibrated sound level meter (A-weighted) positioned 0.5 meter away at 45° from the exhaust outlet, parallel to the ground, with at least two readings taken; the highest reading shall be final.
2. The allowable maximum noise level is 99 dB at 2,000–2,500 rpm.
3. Where no meter is available, prima facie evidence of an open or visibly altered muffler shall be sufficient for apprehension.
4. Decibel meters shall be procured, calibrated, and maintained by the City Government, with serial numbers and usage logs recorded for transparency.

SECTION 7. EXEMPTIONS

This ordinance shall not apply to:

- a) Emergency vehicles (ambulances, fire trucks, police cars) using standard-issue exhausts or equipment;
- b) Motor vehicles participating in officially sanctioned motor sports or motor shows, provided a written permit is secured from the City Government;
- c) Testing or research purposes authorized by the DOTr/LTO;
- d) Motorcycles with engine displacement of 400 cc and above.

SECTION 8. APPREHENSION PROCEDURES

1. Apprehending officers shall conduct visual inspection and, when feasible, a sound level test.
2. Violators shall be issued an Official Violation Receipt (OVR), with confiscation of driver's license or vehicle registration, when authorized by LTO
3. Confiscated mufflers shall be inventoried by POSO and turned over to the GSO for disposal.
4. Release of license or vehicle shall only be upon:
 - Payment of fines; and
 - Proof of repair/restoration of muffler, verified by accredited inspectors.

SECTION 9. PENALTIES

In accordance with the limitations prescribed under the Local Government Code, the following penalties shall apply:

Any person, driver, operator, or business found violating this ordinance shall be penalized as follows:

For Individual Motorists:

- 1st Offense - Fine of P1,000 and issuance of a warning;
- 2nd Offense - Fine of P2,000 and confiscation of the noisy muffler;
- 3rd Offense - Fine of P3,000, confiscation of the noisy muffler.

For Business Establishments:

- 1st Offense - Fine of P3,000 and issuance of a warning;
- 2nd Offense - Fine of P5,000 and suspension of business permit for 7 days;
- 3rd Offense - Fine of P10,000 and revocation of business permit.

SECTION 10. INFORMATION AND EDUCATION CAMPAIGN

The City Government shall implement a citywide IEC campaign for at least 30 days prior to full enforcement, in coordination with barangays, schools, and local media. Business establishments selling vehicle accessories shall be required to post visible notices on this ordinance.



SECTION 11. FUNDING

The initial funding for procurement of sound level meters, training of enforcers, IEC materials, and implementation support shall be sourced from available city funds, subject to usual accounting and auditing rules.

SECTION 12. IMPLEMENTING RULES AND REGULATIONS (IRR)

Within sixty (60) days from approval, the City Mayor shall formulate and adopt the IRR for the effective implementation of this Ordinance.

SECTION 13. SEPARABILITY CLAUSE

If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

SECTION 14. REPEALING CLAUSE

All inconsistent ordinances, resolutions, rules, or regulations are hereby repealed or modified accordingly.

SECTION 15. EFFECTIVITY

This Ordinance shall take effect 15 days after publication in a newspaper of local circulation and posting in at least two (2) conspicuous places in Dagupan City.

ENACTED UNANIMOUSLY.

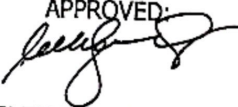
Principal Authors:

COUNCILOR MARVIN V. FABIA
COUNCILOR MICHAEL B. FERNANDEZ


DEAN BRYAN L. KUA
City Vice Mayor & Presiding Officer

ATTESTED:


REA L. MANUEL
Asst. City Secretary

APPROVED:

BELEN T. FERNANDEZ
City Mayor
Date: 9/11/2025