



OFFICE OF THE SANGGUNIANG PANLUNGSOD

Tel. Nos.: (075) 552-7105; (075) 551-2751

EXCERPT TAKEN FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON NOVEMBER 3, 2006.

PRESENT: HON. ORLANDO "ANG PANDAY" R. GO - ACTING PRESIDING OFFICER
(City Councilor)

Hon. Ma. Angela A. Braganza	- Member
Hon. Michael Roy S. Boling	- -do-
Hon. Ruffina J. Gabriel	- -do-
Hon. Filemon R. Bacala, Jr.	- -do-
Hon. Cirilo B. Radoc, CPA, U.B.	- -do-
Hon. Cesar C. Marzano, Ret. Col., PAF	- -do-
Hon. Constante R. Carasi, M.D.	- -do-
Hon. Mario P. Rabadon, LBP	- Ex-Officio Member

ABSENT: HON. VICE MAYOR TEOFILO G. HUMILDE, JR. - Birthday Leave
Hon. Joselito O. Fontelera - On Official Leave
Hon. Carolyn D. Sison - On Official Business
Hon. Margielou Orange D. Humilde, SKP - On Official Business

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ORDINANCE NO. 2006-14

AN ORDINANCE PROHIBITING NUISANCE IN THE CITY OF ALAMINOS, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

WHEREAS, the conversion of the municipality of Alaminos into a component City under Republic Act 9025 has stimulated the growth of various kind of economic activities especially in the central business district;

WHEREAS, some of these businesses like amusement and entertainment places, transportation and other create noise which tends to disturb or annoy the inhabitant in the community;

WHEREAS, the City government is empowered to adopt measure or ordinance to protect the health and safety, social and moral welfare of the community.

NOW, THEREFORE, be it ordained by the Sangguniang Panlungsod in session assembled, That:

SECTION 1. TITLE. This ordinance shall be known and called as **"AN ORDINANCE PROHIBITING NUISANCE IN THE CITY OF ALAMINOS PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES"**.

SECTION 2. DEFINITION (Art. 694 N.C.C)

1. **Nuisance** - is an act, omission, establishment, business, condition of property or anything else which:
 - a. injures or endangers the health and safety of others [old, dilapidated Bldgs/Chemicals Fire Hazards Structures] or
 - b. annoys or offend the senses [excessive sounds from various electronic machines & motor vehicles, Billboard, Signages, etc.] or
 - c. Shocks, defies, or disregards decency, or morality, [Bold Magazines] or
 - d. Obstruct, or interferes with the free passage of any public highways, streets, or anybody of waters, or
 - e. Hinders or impairs the use of property

Nuisance includes but is not limited to the following:

Excessive sound of musical instrument (videoke) within residential areas, uncovered deep excavation/manhole along major thoroughfares/streets, structures constructed along rivers, streets/highway that obstruct free passage, parked vehicle along highway/streets that obstruct free flow of traffic and half naked/naked person/scantily dressed woman/women walking/rooming in public places, and excessive sound of muffler (tambutso) of motor vehicles.

2. **Juridical Person** – is an artificial being created by operation of law, having the right of succession and the powers, attributes and properties expressly authorized by law or incident to its existence (Sec. 2 Corporation Code of the Philippines)

SECTION III. PROHIBITION. It shall be unlawful for any person, natural, or juridical to create nuisance in the City of Alaminos.

SECTION IV. PENALTY. Any person natural or juridical, manager/proprietor of business establishment/s found violating any of the provision/s of this ordinance shall be fined as follows:

- First Offense - fine of one thousand pesos (P1,000.00)
- Second Offense - fine of two thousand pesos (P2,000.00)
- Third Offense - fine of three thousand pesos (P3,000.00)

Provided, however that the City Mayor or his authorized representative after proper investigation is hereby empowered to stop, padlock/close the business establishment creating nuisance and suspend/cancel the business permit of the same.

SECTION V. REPEALING CLAUSE. All ordinances, rules and regulations that are in conflict or contrary to the provisions of this ordinance are hereby deemed modified, amended or repealed accordingly.

SECTION VI. EFFECTIVITY. This ordinance shall take effect 15 days after its approval, posting and publication.


ADOPTED UNANIMOUSLY.....

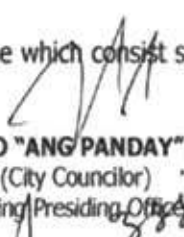
Sponsored by : HON. CIRILO B. RADO, CPA, LI.B.


Co-sponsored by : HON. FILEMON R. BACALA, JR.

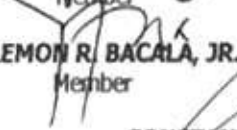
I **HEREBY CERTIFY** to the correctness of the foregoing ordinance which consist some two (2) pages including this page.


MA. ANGELA A. BRAGANZA
Member


MICHAEL ROX S. BOLING
Member

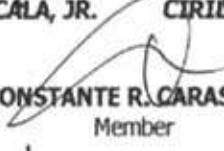

ORLANDO "ANG PANDAY" R. GO
(City Councilor)
Acting Presiding Officer

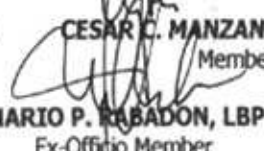

RUFINA J. GABRIEL
Member


FILEMON R. BACALA, JR.
Member



CIRILO B. RADO, CPA, LI.B.
Member


CESAR C. MANZANO, RET. COL., PAF
Member

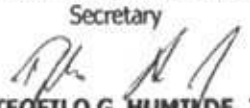

CONSTANTE R. CARASI, M.D.
Member


MARIO P. RABADON, LBP
Ex-Officio Member

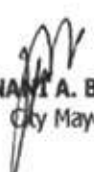
ATTESTED:


VIRGILIO O. MONTEMAYOR
Secretary

NOTED:


TEOFILO G. HUMILDE, JR.
City Vice Mayor/SP Presiding Officer

APPROVED:


HERNANI A. BRAGANZA
City Mayor