

Republic of the Philippines  
Province of Agusan del Sur  
MUNICIPALITY OF PROSPERIDAD

**17<sup>th</sup> SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE 28<sup>TH</sup> REGULAR SESSION OF THE 17<sup>TH</sup> SANGGUNIANG BAYAN OF PROSPERIDAD, AGUSAN DEL SUR HELD IN ITS SESSION HALL ON FEBRUARY 28, 2017 AT 10:00 A.M.

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INTRODUCED BY: MUNICIPAL VICE MAYOR FREDERICK MARK P. MELLANA  
COUNCILOR SAMSON L. AUXTERO

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PRESENT:

|                                |                                   |
|--------------------------------|-----------------------------------|
| Hon. Frederick Mark P. Mellana | Mun. Vice Mayor/Presiding Officer |
| Hon. Jesusimo L. Ronquillo     | Sangguniang Bayan Member          |
| Hon. Cesar M. Romero, Jr.      | Sangguniang Bayan Member          |
| Hon. Emedita A. Jagonia        | Sangguniang Bayan Member          |
| Hon. Samson L. Auxtero         | Sangguniang Bayan Member          |
| Hon. Richel B. Tumulak         | Sangguniang Bayan Member          |
| Hon. Benecio A. Manliguez      | ABC President                     |
| Hawudon Lumadnon               |                                   |
| Victorico C. Mondejar, Jr.     | Indigenous People Representative  |

ON OFFICIAL BUSINESS

|                       |                          |
|-----------------------|--------------------------|
| Hon. Gina A. Ceballos | Sangguniang Bayan Member |
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EXCUSED

|                         |                          |
|-------------------------|--------------------------|
| Hon. Roland D. Magdamit | Sangguniang Bayan Member |
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ON LEAVE

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| Hon. Alicia S. Demecillo | Sangguniang Bayan Member |
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**MUNICIPAL ORDINANCE NO. 03**

Series of 2017

**AN ORDINANCE REGULATING THE USE OF MODIFIED MUFFLERS BY ALL PRIVATE AND PUBLIC VEHICLES WITHIN THE MUNICIPALITY OF PROSPERIDAD, AGUSAN DEL SUR**

**BE IT ORDAINED** by the Seventeenth Sangguniang Bayan of Prosperidad, Agusan del Sur in session assembled, that;

**SECTION 1. TITLE.** This Ordinance shall be known as "An Ordinance Regulating the use of modified mufflers by all Private and Public Vehicles within the Municipality of Prosperidad, Agusan del Sur".

**SECTION 2. DECLARATION OF POLICY.** It is the policy of this municipality to see to it that all existing laws, rules, regulations, decrees, ordinances and resolutions promulgated by authorities appurtenant thereto shall be observed and respected;

**SECTION 3. DEFINITION OF TERMS.** For purposes of this Ordinance, the following word shall mean;

3.1 Modified Muffler – shall mean mufflers other than that of the originally installed by the manufacturer of such vehicle which creates irritating, excessive sounds or cause noise pollution.

**SECTION 4. PROHIBITED ACT.** An act committed by the vehicle owner/operators, drivers for using modified mufflers which cause excessive sounds as defined in Section 3 of this Ordinance;

**SECTION 5. ENFORCEMENT CLAUSE.** For the effective implementation of this Ordinance, the Local Chief Executive through the Municipal Traffic Management Unit (MTMU); the Philippine National Police – Municipal Police Office; and the duly deputized non-government organizations shall be the enforcement agencies.

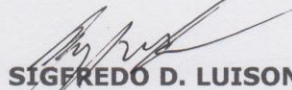
**SECTION 6. PENALTY CLAUSE.** Violation of this Ordinance shall be punished or meted the following;

- 6.1 For the First Offense, the offender shall pay a fine of PhP1,500.00 wherein the motor vehicle shall be impounded for one (1) day at the PNP – Municipal Police Office;
- 6.2 For the Second Offense, the offender shall pay a fine of PhP2,000.00 wherein the Motor vehicle shall be impounded for two (2) days at the PNP-Municipal Police Office;
- 6.3 For the Third Offense, the offender shall pay a fine of PhP2,500.00 wherein the Motor vehicle shall be impounded for three (3) days at the PNP-Municipal Police Office;
- 6.4 For the Fourth Offense, the offender shall be imprisoned for three (3) to six (6) months in the PNP-Municipal Police Office after given due process through court litigation;

**SECTION 7. REPEALING CLAUSE.** All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with or contrary to the provisions of this ordinance are hereby repealed, amended, and modified accordingly;

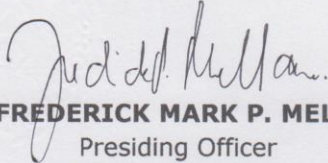
**SECTION 8. EFFECTIVITY CLAUSE.** This Ordinance shall take effect upon its approval.

CERTIFIED CORRECT:



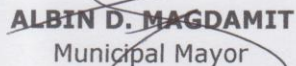
**SIGFREDO D. LUISON**  
Secretary to the Sanggunian Bayan

ATTESTED:



**FREDERICK MARK P. MELLANA**  
Presiding Officer  
Municipal Vice Mayor

APPROVED:



**ALBIN D. MAGDAMIT**  
Municipal Mayor

04-04-2017

SDL/fmr