

June 4, 1997

**MEMORANDUM CIRCULAR 97 - 06**

**TO : ALL MEMBERS/BUILDING ADMINISTRATORS**

Concerned with the rampant nuisance practices which pose danger to community health and disrupt the peace and tranquility of the MACEA community, the Board, in its May 28, 1997 meeting, approved Board Resolution BG-05/97-09 prohibiting nuisances in the form of noise level violations, exhaust noise pollution, objectionable odor and heat emission and improper waste disposal.

Specifically, MACEA is adopting the provisions of the 1978 Rules and Regulations of the National Pollution Control Commission on:

- a) Noise level requirements on the installation, operation, or use of equipment, appliances, and any sound source which would result in the emission of noise above the ambient noise level standards, as follows:

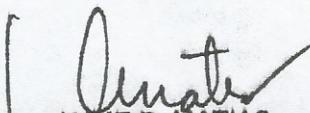
<u>Area</u>	<u>Period</u>	<u>Maximum Noise Level</u>
Class A (Residential)	Morning (5 AM - 9 AM)	50 db
	Daytime (9 AM - 6 PM)	55 db
	Evening (6 PM - 10 PM)	50 db
	Night (10 PM - 5 AM)	45 db
Class B (Commercial)	Morning (5 AM - 9 AM)	60 db
	Daytime (9 AM - 6 PM)	65 db
	Evening (6 PM - 10 PM)	60 db
	Night (10 PM - 5 AM)	55 db

- b) Prohibition against exhaust noise pollution covering the discharge into the open air of the exhaust of all types of engines or similar device in excess of 90 dB measured on acceleration at 10 meters distance; and
- c) Prohibition against objectionable odor and heat emission, prohibiting any person from causing, allowing or permitting the discharge of air pollutants which cause or contribute to objectionable odor and hot air.

MACEA is likewise adopting the provisions of Presidential Decree No. 825 prohibiting the improper disposal of garbage and other forms of uncleanness. PD 825 mandates that all garbages, filth and other waste matters shall be placed in properly sealed plastic containers and be brought outside only upon arrival of garbage collectors. Special wastes such as pathological waste shall be disposed in accordance with acceptable procedures. Sanitary sewage from buildings shall be discharged directly into the nearest sanitary main only. It further stipulates that owners of idle lots must "keep their idle lots clean to protect them from becoming the breeding places of mosquitoes, flies, mice, rats and other scavengers."

Effective June 16, 1997, therefore, any violation in the above forms of nuisances, when such violation is not corrected within the period granted to the violating member, shall be subject to the following penalties:

1. Noise level violations - P 6,000.00 per day for every day during which such violation or default continues.
2. Exhaust noise - P 6,000.00 per day for every day during which such violation or default continues.
3. Objectionable odor and heat emission - P 6,000.00 per day for every day during which violation or default continues.
4. Improper waste disposal - P 3,000.00 per day for every day during which violation or default continues.
5. Such other nuisance will be evaluated and corresponding fines imposed on a case-to-case basis.

  
JAIME R. MATIAS  
Executive Secretary

