

SENATE  
S. B. No. **3254**

9 MAY 18 P4:09

Introduced by Senator Miriam Defensor Santiago

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#### EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

Sound intensity is measured in units called decibels. In nature, an ordinary sound level would be 35 decibels. Speech runs between 65 to 70 decibels while heavy traffic generates 90 decibels. By 140 decibels, sound gets intolerable and painful to the human ear, but the harmful effects, including loss of hearing, set in at much lower levels.

In a survey made in the United States, they found that the loudest club in San Francisco was also its most popular. The music it produced was as high as 105 decibels (dBA). That level of noise is louder than sandblasting. According to the National Institute for Occupational Safety and Health (NIOSH) recommendations, one must limit his time in such clubs to 4 minutes and 43 seconds. By contrast, the more quiet clubs in the survey measured at 94 dBA. NIOSH reported that a person can spend an hour on its dance floor before his hearing is at risk.

Some of the clubs surveyed in the study were so loud, NIOSH recommended that its workers should wear both earplugs and earmuffs. However, there are virtually no regulations in place to protect the clubs' customers from noise. This is the same case in the club scene here in the Philippines. Exercise while listening to loud noise (in this case dancing), alcohol consumption, smoking and exposure to second hand smoke have been

shown to make noise-induced hearing damage even worse. Exposure to sound levels of 105 dBA for more than 4 minutes and 43 seconds a day without ear protection is a serious risk to hearing.

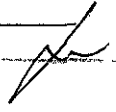
This bill seeks to address the problem of noise pollution in dance clubs by regulating their operation and informing the public of the health hazards they cause.

  
MIRIAM DEFENSOR SANTIAGO

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AN ACT  
REGULATING THE OPERATION  
OF DANCE CLUBS

*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the “Club Noise Regulatory Act of 2009.”

SECTION 2. *Regulation of the operation of dance club noise.* – It shall be unlawful for any person to unreasonably operate any dance club:

(a) As to disturb the peace, quiet and comfort of any residential neighborhood or of any reasonable person residing in such area;

(b) That such activity is audible to the human ear at a distance in excess of 150 feet from the property line of the noise source;

(c) As to create any noise which would cause the noise level on the premises of any occupied residential property, or if a condominium, apartment house or duplex, within any adjoining unit, to exceed the ambient noise level by more than five (5) decibels.

(d) Without placing at the entrance of the establishment the following warning:  
“Warning: Exposure to excessive noise levels can damage your ears and cause loss of hearing.”

SECTION 3. *Penalties.* – Any establishment found to violate this Act shall have its license to operate revoked by the Secretary of the Department of Health.

1           SECTION 4. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
2   order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
3   with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

4           SECTION 5. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
5   publication in at least two (2) newspapers of general circulation.

6           Approved,