



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
South Wing, Provincial Capitol Building
South Capitol Road, Bacolod City, Negros Occidental 6100
Tel. Nos. 435-7698 * 447-5657 * 707-8075

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS
OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 9TH DAY OF
JANUARY 2024**

PRESENT:

Hon. Valentino Miguel J. Alonso	Temporary Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member – SK Rep.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Julius Martin D. Asistio	Member – PCL Rep.

RESOLUTION NO. 0039
Series of 2024

**RESOLUTION DECLARING CITY ORDINANCE NO. 19, SERIES OF 2023 OF
THE CITY OF SILAY, NEGROS OCCIDENTAL ENTITLED: “AN ORDINANCE
PROVIDING THE PROCEDURES AND GUIDELINES FOR THE EXPEDITIOUS
ACQUISITION BY THE CITY GOVERNMENT OF SILAY OF PRIVATE REAL
PROPERTIES AND OTHER DEVELOPMENT PROJECTS AND PROVIDING
FUNDS THEREOF” AS A VALID ENACTED ORDINANCE**

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it is consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, City Ordinance No. 19, Series of 2023 of the City of Silay, Negros Occidental entitled: “AN ORDINANCE PROVIDING THE PROCEDURES AND GUIDELINES FOR THE EXPEDITIOUS ACQUISITION BY THE CITY GOVERNMENT OF SILAY OF PRIVATE REAL PROPERTIES AND OTHER DEVELOPMENT PROJECTS AND PROVIDING FUNDS THEREOF” was submitted for review by the City of Silay to the Sangguniang Panlalawigan of Negros Occidental;



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WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance is within the conferred power of the Sangguniang Panlungsod of Silay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, it is a well-settled rule in local legislation that the power to enact ordinances carries with it the power to change or repeal them provided that vested rights are not thereby impaired. Amendatory ordinances are valid only when passed in a definite manner and should relate specifically to the ordinance, which should be amended or repealed." (Rodriguez, The Local Government Code of 1991).

WHEREAS, the Sangguniang Panlungsod of Silay is empowered to enact the subject ordinance in accordance with Sec. 19 of the Local Government Code. This section mandates local government units, such as the City of Silay, to exercise the power of Eminent Domain concerning Ordinance No. 19. Additionally, under the Cockfighting Law of 1974, in relation to Section 458(a) of the aforementioned Code, the Sangguniang Panlungsod of Silay is explicitly granted the authority to enact Ordinance No. 3-B, Series of 2018. Undoubtedly, the aforementioned authority of the Sangguniang Panlungsod of Silay to enact Ordinance No. 3-B, Series of 2018, includes the power to modify or amend said ordinance.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

WHEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., unanimously seconded by all the members present;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare City Ordinance No. 19, Series of 2023 of the City of Silay, Negros Occidental entitled: "AN ORDINANCE PROVIDING THE PROCEDURES AND GUIDELINES FOR THE EXPEDITIOUS ACQUISITION BY THE CITY GOVERNMENT OF SILAY OF PRIVATE REAL PROPERTIES AND OTHER DEVELOPMENT PROJECTS AND PROVIDING FUNDS THEREOF" as a valid enacted ordinance.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer



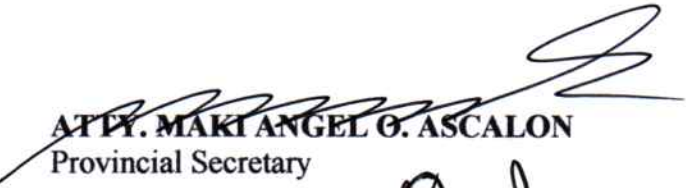




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ATTESTED:


ATTY. MAKI ANGEL G. ASCALON
Provincial Secretary



Copy for: all concerned
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