



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 30TH 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. Sixto Teofilo Roxas V. Guanzon	Member - 2 nd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.



RESOLUTION NO. 0167
Series of 2024

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2023-267 OF THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL, REVISING THE REGULATIONS ON THE DISTRIBUTION, HAULING AND RETAIL OF LIQUID FUELS WITHIN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL AS A VALID ENACTED ORDINANCE

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Bayan 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, Municipal Ordinance No. 2023-267 of the Municipality of Cauayan, Negros Occidental, entitled: "*AN ORDINANCE REVISING THE REGULATIONS ON THE DISTRIBUTION, HAULING AND RETAIL OF LIQUID FUELS WITHIN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL*" was submitted for review by the Municipality of Cauayan to the Sangguniang Panlalawigan of Negros Occidental;

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 Bayan of Cauayan enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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WHEREAS, the subject Ordinance finds legal basis under the local government code of 1991, to wit:

Section 447. - Powers, Duties, Functions and Compensation. - (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, x x x."

WHEREAS, the subject ordinance explicitly states its alignment with the directives outlined by various authorities, including the Department of Energy, Department of Environment and Natural Resources, and the Bureau of Fire Protection. Additionally, the regulatory measures outlined therein are harmonious with those prescribed by Republic Act No. 9514, also known as the Fire Code of the Philippines, and the Department of Energy Circular No. 2017-11-0011 (Revised Retail Rules);

WHEREAS, the current ordinance was formulated in strict compliance with the aforementioned laws and relevant regulations governing the distribution and retail of fuels in the Municipality of Cauayan. Moreover, the procedural prerequisites outlined in R.A. 7160 for the enactment of said ordinance have been duly met, as confirmed by the provided certification, thereby affirming its validity;

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;

NOW THEREFORE, premises considered, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. duly seconded by all the members present during the regular session of the Sangguniang Panlalawigan of Negros Occidental,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to pass and approve this resolution to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2023-267 OF THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL, REVISING THE REGULATIONS ON THE DISTRIBUTION, HAULING AND RETAIL OF LIQUID FUELS WITHIN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.



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This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary