



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 16TH DAY OF
JANUARY 2024**

PRESENT:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st 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. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member – SK Rep.

ON OFFICIAL BUSINESS:

Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Julius Martin D. Asistio	Member – PCL Rep.

RESOLUTION NO. 0068
Series of 2024

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 017, SERIES OF 2023 OF THE MUNICIPALITY OF LA CASTELLANA, NEGROS OCCIDENTAL ENTITLED: “AN ORDINANCE FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN THE MUNICIPALITY OF LA CASTELLANA” AS A VALID ENACTED ORDINANCE SUBJECT TO COMPLIANCE OF A PUBLIC HEARING AS REQUIRED UNDER SECTION 186, BOOK 11 OF RA 7160

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, Municipal Ordinance No. 017, Series of 2023 of the Municipality of La Castellana, Negros Occidental entitled: “AN ORDINANCE FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN THE MUNICIPALITY OF LA CASTELLANA” was submitted for review by the Municipality of La Castellana 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 La Castellana to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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WHEREAS, the ordinance finds legal support from the Local Government Code, to wit:

Section 447 - Powers, Duties, Functions and Compensation

“the sangguniang bayan, as the legislative body of the municipality, has the power to grant franchises and regulate the operation of tricycles subject to guidelines prescribed by the Department of Transportation.”

WHEREAS, upon review, the Sangguniang Panlalawigan's examining authority determines that the imposition of the fee increase contravenes the stipulations of R.A. 7160, particularly Section 186, due to the absence of a preceding public hearing. Moreover, it is observed that the municipality neglected to adhere to Section 6 of Department Order No. 2008-23, which requires coordination with the LTFRB before unilaterally implementing increases in fees and charges affecting public transport costs.

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 Municipal Ordinance No. 017, Series of 2023 of the Municipality of La Castellana, Negros Occidental entitled: “AN ORDINANCE FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN THE MUNICIPALITY OF LA CASTELLANA” as a validly enacted ordinance subject to compliance of a public hearing as required under Section 186, Book 11 of RA 7160.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY P. FERRER
Vice Governor/Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary