



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
OFFICE OF THE SANGGUNIAN 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 SANGGUNIAN PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 20TH DAY OF FEBRUARY, 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. Samson C. Mirhan	Member - 2 nd 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. Jeffrey T. Tubola	Member - 6 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
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. Richard Julius L. Sablan	Member - ABC Rep.

RESOLUTION NO. 0317
Series of 2024

RESOLUTION DECLARING ORDINANCE NO. 01-2024, SERIES OF 2024 OF THE CITY OF CADIZ, NEGROS OCCIDENTAL, ON THE TEMPORARY CLOSURE FROM ALL VEHICULAR TRAFFIC, THE ROAD PORTIONS OF VILLENA ST., CABAUG ST., MABINI AND MAGSAYSAY STREETS, JUAN LUNA AND LOPEZ JAENA STREETS, ABELARDE STREET, HITALON AND RECLAMATION AREA, ANDREA VILLAGE AND GUSTILO BOULEVARD ON JANUARY 27-28, 2024 FOR THE GOLDEN DINAGSA FESTIVAL CELEBRATION 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, Ordinance No. 01-2024, Series of 2024 of the City of Cadiz, Negros Occidental, entitled: "AN ORDINANCE ON THE TEMPORARY CLOSURE FROM ALL VEHICULAR TRAFFIC, THE ROAD PORTIONS OF VILLENA ST., CABAUG ST., MABINI AND MAGSAYSAY STREETS, JUAN LUNA AND LOPEZ JAENA STREETS, ABELARDE STREET, HITALON AND RECLAMATION AREA, ANDREA VILLAGE AND GUSTILO BOULEVARD ON JANUARY 27-28, 2024 FOR THE GOLDEN DINAGSA FESTIVAL CELEBRATION" was submitted for review by the City of Cadiz 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 Cadiz to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject ordinance is in line with Section 21 of the Local Government Code, to wit:

Section 21. Closure and Opening of Roads. -

- (a) *A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, That in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure is provided.*
- (b) *No such way or place or any part thereof shall be permanently closed without making provisions for the maintenance of public safety therein. A property thus permanently withdrawn from public use may be used or conveyed for any purpose for which other real property belonging to the local government unit concerned may be lawfully used or conveyed: Provided, however, That no freedom park shall be closed permanently without provision for its transfer or relocation to a new site.*
- (c) *Any national or local road, alley, park, or square may be temporarily closed during an actual emergency, or fiesta celebrations, public rallies, agricultural or industrial fairs, or an undertaking of public works and highways, telecommunications, and waterworks projects, the duration of which shall be specified by the local chief executive concerned in a written order: Provided, however, That no national or local road, alley, park, or square shall be temporarily closed for athletic, cultural, or civic activities not officially sponsored, recognized, or approved by the local government unit concerned.*
- (d) *Any city, municipality, or barangay may, by a duly enacted ordinance, temporarily close and regulate the use of any local street, road, thoroughfare, or any other public place where shopping malls, Sunday, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuffs, commodities, or articles of commerce may be sold and dispensed to the general public.*

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. unanimously seconded by all the members present during the regular session of the Sangguniang Panlalawigan of Negros Occidental, resolved, as it hereby resolves, to pass and approve this resolution to wit:



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


JESSICA E. ALOVERA
Legislative Staff Officer V

