



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 19TH DAY OF MARCH, 2024

PRESENT:

Hon. Araceli T. Somosa	Temporary Presiding Officer
Hon. Rommel T. Debulgado	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. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice-Governor
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

RESOLUTION NO. 0431

Series of 2024

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-001 OF THE CITY OF SIPALAY, NEGROS OCCIDENTAL, REGULATING THE SALE OF VOLATILE SUBSTANCE/SOLVENTS TO MINORS IN BUSINESS ESTABLISHMENTS IN THE CITY OF SIPALAY 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. 2024-001 of the City of Sipalay, Negros Occidental, entitled: "**AN ORDINANCE REGULATING THE SALE OF VOLATILE SUBSTANCE/SOLVENTS TO MINORS IN BUSINESS ESTABLISHMENTS IN THE CITY OF SIPALAY, NEGROS OCCIDENTAL**" was submitted for review by the City of Sipalay 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 Panlungsod of Sipalay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

[Handwritten signatures]



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WHEREAS, the subject ordinance finds legal basis under the Local Government Code, to wit:

"Section 16. General Welfare- Every Local Government Unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and efective governance, and those which are essential to the promotion of the general welfare.

*"Section 458(a)- Powers, Duties, Functions and Compensation.- The sangguniang panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall:
(1) Approve ordinances and pass resolutions necessary for an efficient and effective city government, xxx*

WHEREAS, Section 1 of Presidential Decree No. 1619, Series of 1979 (*PENALIZING THE USE OR POSSESSION OR THE UNAUTHORIZED SALE TO MINORS OF VOLATILE SUBSTANCES FOR THE PURPOSE OF INDUCING INTOXICATION OR IN ANY MANNER CHANGING, DISTORTING OR DISTURBING THE AUDITORY, VISUAL OR MENTAL PROCESS*), issued by the late former President Ferdinand E. Marcos, provides:

Section 1. Volatile substances as used in this Decree shall mean and include any liquid, solid or mixed substance having the property of releasing toxic vapors or fumes containing one or more of the following chemical compounds: methanol, ethanol, isopropanol, ethyl acetate, n-propyl acetate, -butyl acetate, acetone, methyl ethyl ketone, methyl butyl ketone, benzene, toluene, xylene, stryene, naphtalene, n-pentane, n-hexane, n-heptane, methylene chloride, trichloroethylene, tetrachloroethylene, nitrous oxide, dichlorodifluoromethane, chlorodifluoromethane, isoamyl nitrate, ether or chloroform or any other chemical substance which when sniffed, smelled, inhaled, or introduced into the physiological system of the body produces or induces a condition of intoxication, inebriation, excitement, stupefaction, dulling of the brain or nervous system, depression, giddiness, paralysis, or irrational behaviour or in any manner changing, distorting or disturbing the auditory, visual or mental processes.

WHEREAS, Section 511(a) of RA 7160 stipulates that ordinances carrying penal sanctions must be prominently displayed in the provincial capitol, city, municipal, or barangay hall for at least three (3) consecutive weeks. Additionally, they should be published in a newspaper of general circulation within the local government unit's jurisdiction, except for barangay ordinances. Furthermore, Section 10, the Effectivity Clause, of the aforementioned ordinance specifies that it will come into effect after fulfilling the publication requirement outlined in Section 511 of RA 7160 or the Local Government Code of 1991. It is evident that the effectivity clause substantially complies with the aforementioned publication mandate;

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;



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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,

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

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-001 OF THE CITY OF SIPALAY, NEGROS OCCIDENTAL, ENTITLED: "AN ORDINANCE REGULATING THE SALE OF VOLATILE SUBSTANCE/SOLVENTS TO MINORS IN BUSINESS ESTABLISHMENTS IN THE CITY OF SIPALAY, NEGROS OCCIDENTAL" AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. ARACELI T. SOMOSA
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary