



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 NEGROS OCCIDENTAL HELD IN THE
CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 14TH DAY OF MAY 2024.**

PRESENT:

Hon. Valentino Miguel J. Alonso	Temporary Presiding Officer
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member - SK
Hon. Richard Julius L. Sablan	Member - ABC

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice Governor/Presiding Officer
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
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

RESOLUTION NO. 0609
Series of 2024

RESOLUTION DECLARING ORDINANCE NO. 09-2024 OF THE CITY OF CADIZ, NEGROS OCCIDENTAL ENTITLED: "AN ORDINANCE AMENDING THE PROVISIONS OF ARTICLE III-SECTION 3.1(A) AND SECTION 3.3 OF ORDINANCE NO. 08-2021, SERIES OF 2021, THEREBY PROVIDING THE MODIFIED REDUCED FOOD STALL RENTAL RATES AT THE CADIZ CITY FOOD PARK AND RECREATIONAL HUB" 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. 09-2024 of the City of Cadiz, Negros Occidental, entitled: "AN ORDINANCE AMENDING THE PROVISIONS OF ARTICLE III-SECTION 3.1(A) AND SECTION 3.3 OF ORDINANCE NO. 08-2021, SERIES OF 2021, THEREBY PROVIDING THE MODIFIED REDUCED FOOD STALL RENTAL RATES AT THE CADIZ CITY FOOD PARK AND RECREATIONAL HUB" 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;

The subject ordinance finds legal basis under the 1991 Local Government Code, to wit:

"Article 458. (a) 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 xxx."

WHEREAS, the authority to enact ordinances, as emphasized in a judicial decision, includes the authority to amend them. Furthermore, in local legislation, it is firmly established that the power to enact ordinances inherently encompasses the power to repeal or amend them, ensuring that vested rights are not compromised. Such actions are deemed valid only when undertaken in a precise manner and directly related to the ordinance being amended or repealed.

WHEREAS, the amendatory ordinance modifies the stipulations found in Article III, Section 3.1 (a) and Section 3.3 of Ordinance No. 08-2021, reducing the rental rates for food stalls at the Food Park and Recreational Hub from Php8,000.00 per month to Php5,000.00 per month. This adjustment is seen as advantageous to potential tenants and is considered to align with the provisions of the general welfare clause outlined in Section 16 of R.A. 7160.

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;

WHEREAS, the SP Committee on Laws favorably endorsed the passing of the same;

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

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;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Ordinance No. 06-2024 of the City of Cadiz, Negros Occidental, entitled: "AN ORDINANCE REQUIRING ALL HOUSEHOLDS IN THE CITY OF CADIZ TO COMPLY WITH THE ZERO OPEN DEFECATION (ZOD) POLICY, PROVIDING GUIDELINES AND APPROPRIATING FUNDS THEREOF" as a valid enactment ordinance.

ADOPTED UNANIMOUSLY.



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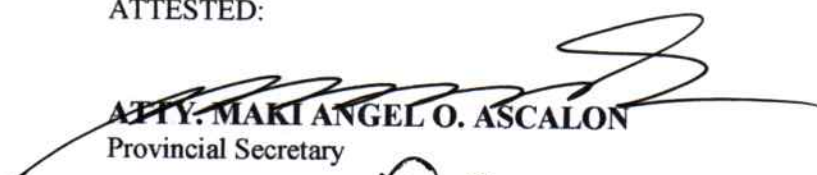
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This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

Copy for: all concerned
VBV 2024 RES-GRD



