



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 28th DAY OF MAY 2024***

PRESENT:

Hon. Samson C. Mirhan
Hon. Rommel T. Debulgado
Hon. Araceli T. Somosa
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.
Hon. Jose Benito A. Alonso
Hon. Anthony Dennis J. Occeño
Hon. Jeffrey T. Tubola
Hon. Julius Martin D. Asistio

Temporary Presiding Officer
Member - 1st District
Member - 1st District
Member - 2nd District
Member - 4th District
Member - 5th District
Member - 6th District
Member - PCL Rep.

OFFICIAL BUSINESS:

Hon. Manuel Frederick O. Ko
Hon. Andrew Gerard L. Montelibano
Hon. Andrew Martin Y. Torres
Hon. Rita Angela S. Gatuslao
Hon. Valentino Miguel J. Alonso
Hon. Richard Julius L. Sablan
Hon. Mayvelyn L. Madrid

Acting Vice Governor
Member - 3rd District
Member - 4th District
Member - 5th District
Member - 6th District
Member – ABC Rep.
Member – SKF Rep.

ON ACTING CAPACITY AS GOVERNOR

Hon. Jeffrey P. Ferrer

Vice Governor

**RESOLUTION NO. 0679
Series of 2024**

***RESOLUTION DECLARING ORDINANCE NO. 2024-116 OF THE CITY OF
VICTORIAS, NEGROS OCCIDENTAL TEMPORARILY CLOSING THE PORTION OF
OSMEÑA AVENUE FROM LOPUE'S DEPARTMENT STORE TO OUR LADY OF
VICTORY PARISH CHURCH IN THE CITY OF VICTORIAS ON APRIL 27, 2024 FROM
12:00 NOON UNTIL 12:00 MIDNIGHT IN CONNECTION WITH THE MALIHAW
INTER-BARANGAY STREET DANCING COMPETITION 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. 2024-116 of the City of Victorias, Negros Occidental temporarily closing the portion of Osmeña Avenue from Lopue's Department Store to our Lady of Victory Parish Church in the City of Victorias on April 27, 2024 from 12:00 Noon until 12:00 Midnight in connection with the Malihaw Inter-Barangay Street Dancing Competition was submitted for review by the City of Victorias to the Sangguniang Panlalawigan of Negros Occidental;

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(Page 2 of SP Res. No. 0679, Series of 2024)

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 Victorias to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the temporary closure of a section of Osmeña Avenue on April 27, 2024, is considered a fait accompli, making any review of the ordinance moot and academic. However, it still merits discussion for academic purposes.

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

"Sec 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

SEC. 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.

(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.

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, in view of the foregoing, the Committee on Laws, recommends approval of the same;

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

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

RESOLUTION DECLARING ORDINANCE NO. 2024-116 OF THE CITY OF VICTORIAS, NEGROS OCCIDENTAL TEMPORARILY CLOSING THE PORTION OF OSMEÑA AVENUE FROM LOPUE'S DEPARTMENT STORE TO OUR LADY OF VICTORY PARISH CHURCH IN THE CITY OF VICTORIAS ON APRIL 27, 2024 FROM 12:00 NOON UNTIL 12:00 MIDNIGHT IN CONNECTION WITH THE MALIHAW INTER-BARANGAY STREET DANCING COMPETITION AS A VALID ENACTED ORDINANCE.

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(Page 3 of SP Res. No. 0679, Series of 2024)

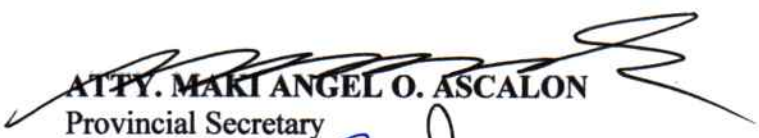
ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. SAMSON C. MIRHAN
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary