



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 11TH DAY OF JUNE, 2024*

PRESENT:

Hon. Samson C. Mirhan	Temporary Presiding Officer
Hon. Rommel T. Debulgado	Member - 1st District
Hon. Araceli T. Somosa	Member - 1st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2nd District
Hon. Manuel Frederick O. Ko	Member - 3rd District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Jeffrey T. Tubola	Member - 6th District
Hon. Valentino Miguel J. Alonso	Member - 6th District
Hon. Richard Julius L. Sablan	Member - ABC 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 - 3rd District
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. Julius Martin D. Asistio	Member - PCL Rep.

RESOLUTION NO. 0706

Series of 2024

**RESOLUTION DECLARING ORDINANCE NO. 24-07 OF THE CITY OF BAGO,
NEGROS OCCIDENTAL, ADOPTING THE TRICYCLE ROUTE PLAN OF BAGO
CITY, PRESCRIBING PENALTIES FOR ITS VIOLATION, AND PROVIDING
FUNDS FOR ITS IMPLEMENTATION AS A VALIDLY ENACTED ORDINANCE
UPON RECTIFYING THE DEFICIENCIES IDENTIFIED BY THE REVIEWING
AUTHORITY OF THE SANGGUNIAN PANLALAWIGAN PERTAINING TO THE
NON-COMPLIANCE WITH THE BARANGAY CONSULTATION, PUBLIC HEARING,
AND CERTIFICATION**

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. 24-07 of the City of Bago, Negros Occidental, entitled: "AN ORDINANCE ADOPTING THE TRICYCLE ROUTE PLAN OF BAGO CITY, PRESCRIBING PENALTIES FOR ITS VIOLATION, AND PROVIDING FUNDS FOR ITS IMPLEMENTATION" was submitted for review by the City of Bago 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 Bago to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject ordinance is anchored upon LTO Memorandum Circular No. 94-199 dated May 02, 1994, to wit:

"In lieu of the Land Transportation Franchising and Regulatory Board (LTFRB) in the DOTC, the Sangguniang Bayan/Sangguniang Panlungsod (SB/SP) shall perform the following:

- a) Issue, amend, revise, renew, suspend, or cancel MTOP and prescribe the appropriate terms and conditions therefor;*
- b) Determine, fix, prescribe or periodically adjust fares or rates for the service provided in a zone after public hearing;*
- c) Prescribe and regulate zones of service in coordination with the barangay;*
- d) Fix, impose and collect, and periodically review and adjust but not oftener than once every three (3) years, reasonable fees and other related charges in the regulation of tricycles-for-hire;*
- e) Establish and prescribe the conditions and qualifications of service."*

WHEREAS, Section 3, Chapter IV of Provincial Ordinance No. 2023-007 otherwise known as the Negros Occidental Transport Route Plan of 2023 provides that:

"SECTION 3. Tricycles. - In the preparation of the LPTRP, the Sanggunians shall ensure that there is no other alternative route for tricycles except national roads before they could allow tricycles operation in routes that should be traversed by higher modes of public transport. Through public hearings, Sanggunians concerned is required to obtain inputs and/or comments of all stakeholders within their respective jurisdiction in preparing their LPTRP"

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds that the foregoing requirements were not complied with by the concerned sanggunian in the preparation of the LPTRP of Bago, specifically regarding the provision on NO ALTERNATIVE ROUTE and the required PUBLIC HEARING;

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:



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. SAMSON C. MIRHAN
Temporary Presiding Officer

ATTESTED:

APTY. MAKI ANGEL O. ASCALON
Provincial Secretary