



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 13TH DAY OF AUGUST, 2024

PRESENT:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	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. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

RESOLUTION NO. 0942
Series of 2024

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2024 OF THE MUNICIPALITY OF VALLADOLID, NEGROS OCCIDENTAL, REGULATING THE HARVEST OF BROWN MUSSEL (TAHONG) SP. PERNA PERNA AND ANGEL WING (DIWAL) SP. PHOLAS ORIENTALIS MOLLUSK IN THE MUNICIPAL WATERS OF VALLADOLID, NEGROS OCCIDENTAL AS A VALID ENACTED ORDINANCE UPON SHOWING OF THE FACT THAT THE SANGGUNIANG BAYAN CONCERNED HAS INDEED CONSULTED FARMC WHEN IT ENACTED THE SUBJECT 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, Municipal Ordinance No. 02, Series of 2024 of the Municipality of Valladolid, Negros Occidental, entitled: "*AN ORDINANCE REGULATING THE HARVEST OF BROWN MUSSEL (TAHONG) SP. PERNA PERNA AND ANGEL WING (DIWAL) SP. PHOLAS ORIENTALIS MOLLUSK IN THE MUNICIPAL WATERS OF VALLADOLID, NEGROS OCCIDENTAL*" was submitted for review by the Municipality of Valladolid 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 Bayan of Valladolid to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, Ordinance No. 02, Series of the 2024 of the Municipality of Valladolid is anchored on Section 447 of Republic Act (RA) No. 7160, otherwise known as the Local Government Code of 1991, provides among others that the Sangguniang Bayan of Valladolid as the legislative body of the municipality has the power to enact ordinance protecting the environment and impose appropriate penalties for acts which endanger the environment, such as smuggling of natural resources products and of endangered species of flora, slash and farming;

WHEREAS, Section 16 of RA 8550, as amended, provides among others that the municipal government, in consultation with the FARMC, is responsible for the management, conservation, development, protection, utilization, and disposition of all fish and fishery/aquatic resources within their respective municipal waters;

WHEREAS, the subject ordinance, as well as examination of the documents attached therewith, reveals that no proof of FARMC consultation was attached therewith as prescribed by section 16 of RA 8550;

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 declare this resolution, to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2024 OF THE MUNICIPALITY OF VALLADOLID, NEGROS OCCIDENTAL, REGULATING THE HARVEST OF BROWN MUSSEL (TAHONG) SP. PERNA PERNA AND ANGEL WING (DIWAL) SP. PHOLAS ORIENTALIS MOLLUSK IN THE MUNICIPAL WATERS OF VALLADOLID, NEGROS OCCIDENTAL AS A VALID ENACTED ORDINANCE UPON SHOWING OF THE FACT THAT THE SANGGUNIANG BAYAN CONCERNED HAS INDEED CONSULTED FARMC WHEN IT ENACTED THE SUBJECT ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

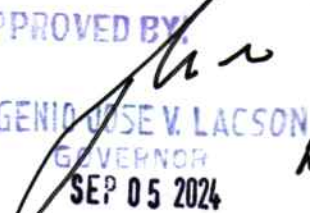


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ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

APPROVED BY:

EUGENIO JOSE V. LACSON
GOVERNOR
SEP 05 2024

Note: The Presiding Officer, Hon. Jeffrey P. Ferrer, relinquished the chair to the Temporary Presiding Officer, Hon. Valentino Miguel J. Alonso.