



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 27TH DAY OF AUGUST 2024

PRESENT:

Hon. Jeffrey P. Ferrer	Vice Governor/ 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. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC
Hon. Mayvelyn L. Madrid	Member – SK Rep.

ON OFFICIAL BUSINESS:

Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Valentino Miguel J. Alonso	Member – 6th District
Hon. Julius Martin D. Asistio	Member – PCL Rep.

RESOLUTION NO. 0982

Series of 2024

RESOLUTION DECLARING ORDINANCE NO. 714, SERIES OF 2024 OF THE CITY OF TALISAY, NEGROS OCCIDENTAL ENTITLED: "AN ORDINANCE REQUIRING THE RESTAURANTS AND ALL FOOD SERVICE OUTLETS IN THE CITY OF TALISAY, NEGROS OCCIDENTAL TO SERVE FREE POTABLE SERVICE WATER TO THEIR CUSTOMERS" AS A VALIDLY ENACTED ORDINANCE UPON COMPLIANCE OF THE REQUIREMENTS UNDER SECTION 511 OF THE LOCAL GOVERNMENT CODE

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. 714, Series of 2024 of the City of Talisay, Negros Occidental, entitled: "AN ORDINANCE REQUIRING THE RESTAURANTS AND ALL FOOD SERVICE OUTLETS IN THE CITY OF TALISAY, NEGROS OCCIDENTAL TO SERVE FREE POTABLE SERVICE WATER TO THEIR CUSTOMERS" was submitted for review by the City of Talisay to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, after prompt examination by the Provincial Legal Office, the said Office opined that the subject Ordinance is within the conferred power of the Sangguniang Panlungsod of Talisay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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WHEREAS, the subject ordinance finds support under the Constitution, to wit:

**ARTICLE II - DECLARATION OF PRINCIPLES AND STATE POLICIES
PRINCIPLES**

Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them

WHEREAS, the subject ordinance, is in line with the Local Government Code, to wit:

"Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall x xx, among other things, xx x, preserve the comfort and convenience of their inhabitants."(Section 16, Local Government Code of 1991, RA 7160)

And

"Section. 458. - Powers, Duties, Functions and Compensation. - (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..."

WHEREAS, a review of the ordinance revealed that, as it contains penal provisions, must align with Section 511 of the Local Government Code, as follows:

Section 511. Posting and Publication of Ordinances with Penal Sanctions. - (a) ordinances with penal sanctions shall be posted at prominent places in the provincial capitol, city, municipal or Barangay hall, as the case may be, for a minimum period of three (3) consecutive weeks. Such ordinances shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the local government unit concerned, except in the case of Barangay ordinances. Unless otherwise provided therein, said ordinances shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later.

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

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

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Ordinance No. 714, Series of 2024 of the City of Talisay, Negros Occidental, entitled: "AN ORDINANCE REQUIRING THE RESTAURANTS AND ALL FOOD SERVICE OUTLETS IN THE CITY OF TALISAY, NEGROS OCCIDENTAL TO SERVE FREE POTABLE SERVICE WATER TO THEIR CUSTOMERS" as a validly enacted ordinance upon compliance of the requirements under Section 511 of the Local Government Code.



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY P. FERRER
Vice Governor/ Presiding Officer 

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

Copy for: all concerned
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