



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 1ST DAY OF OCTOBER, 2024

PRESENT:

Hon. Valentino Miguel J. Alonso	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. Samson C. Mirhan	Member - 2nd 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. Jeffrey T. Tubola	Member - 6th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
Hon. Manuel Frederick O. Ko	Member - 3rd District
Hon. Andrew Gerard L. Montelibano	Member - 3rd District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

RESOLUTION NO. 1133

Series of 2024

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-003 OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL, MANDATING ALL BUSINESS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL ENGAGED IN THE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF AS A VALIDLY ENACTED ORDINANCE UPON COMPLIANCE OF SECTION 511 OF THE LOCAL GOVERNMENT CODE OF 1991

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Bayan 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. 2024-003 of the Municipality of Ilog, Negros Occidental, entitled: "AN ORDINANCE MANDATING ALL BUSINESS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL ENGAGED IN THE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR



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VIOLATION THEREOF" was submitted for review by the Municipality of Ilog to the Sangguniang Panlalawigan of Negros Occidental;

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

WHEREAS, the subject ordinance is anchored upon Sections 16 and 447(a)(3)(ii) of the Local Government Code of 1991, to wit:

Section 16. "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 xxx, among other things, x x x, preserve the comfort and convenience of their inhabitants."

Section 447. (a) The Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under section 22 of this Code, and shall: x x x x x x

(3) Subject to the provisions of Book II of this Code, xxx, enact ordinances authorizing the issuance of permits or licenses, or enact ordinances x x x upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the city, and pursuant to this legislative authority shall:

X x x x x x

(ii) Regulate any business xxx within the city and the conditions under which the license for said business x xx may be issued or revoked;

WHEREAS, the enactment of the instant ordinance is in consonance with Executive Order No. 297, Series of 2000, which is intended to control and manage the unauthorized manufacture, sale, distribution of PNP uniforms, insignias and other accoutrements. Corollary thereto, the PNP Directorate for Research and Development has issued DRD Standard Operating Procedure No. 2020-001 which sets forth the guidelines in handling the samples of the PNP uniforms for the issuance of Certificate of Conformity (COC). Notably, such issuances are within the awareness of the concerned sanggunian, thus, the enactment of the subject ordinance known as, "The PNP Certificate of Conformity Ordinance", to ensure that manufacturer/seller/distributor and worn exclusively by uniformed personnel in the Municipality of Ilog;

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds that Section 11 (Effectivity) of the ordinance in question, that its effectivity, as it contains penal provisions, must comply with Section 511 of Republic Act No. 7160, as follows:



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"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. "

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, resolved, as it hereby resolves, to pass and approve this resolution, to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-003 OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL, MANDATING ALL BUSINESS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL ENGAGED IN THE MANUFACTURING, SELLING OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF AS A VALIDLY ENACTED ORDINANCE UPON COMPLIANCE OF SECTION 511 OF THE LOCAL GOVERNMENT CODE OF 1991

ADOPTED UNANIMOUSLY.

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