



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 * 433-4894 * 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 29TH DAY OF
OCTOBER 2024**

PRESENT:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Jose Benito A. Alonso	Member – 4 th District
Hon. Samson C. Mirhan	Member - 2 nd District
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. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC

ON OFFICIAL BUSINESS:

Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Julius Martin D. Asistio	Member – PCL Rep.
Hon. Mayvelyn L. Madrid	Member – SK Rep.

RESOLUTION NO. 1247
Series of 2024

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-009 OF THE CITY OF SAGAY, NEGROS OCCIDENTAL ENTITLED: “AN ORDINANCE PROHIBITING THE UNAUTHORIZED MANUFACTURE, SALE, DISTRIBUTION AND USE OF UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS OF THE PNP IN THE CITY OF SAGAY AND PRESCRIBING PENALTIES IN VIOLATION THEREOF” AS A VALIDLY ENACTED ORDINANCE UPON COMPLIANCE WITH SECTION 511 OF RA 7160

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, City Ordinance No. 2024-009 of the City of Sagay, Negros Occidental entitled: “AN ORDINANCE PROHIBITING THE UNAUTHORIZED MANUFACTURE, SALE, DISTRIBUTION AND USE OF UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS OF THE PNP IN THE CITY OF SAGAY AND PRESCRIBING PENALTIES IN VIOLATION THEREOF” was submitted for review by the City of Sagay 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 Sagay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the Sangguniang Panlungsod of Sagay has the power to enact the subject ordinance, which is in keeping with Local Government Code of 1991 (R.A. 7160), 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. xxx."(Section 16, Local Government Code of 1991, RA 7160)

Corollarily, Section 458 (a) (3) (ii) of the Code provides:

"Section 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 xxx, and shall:

(3) xxx, enact ordinances x xx 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:

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

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

1. It must not contravene the Constitution or any statute.
2. It must not be unfair or oppressive.
3. It must not be partial or discriminatory.
4. It must not prohibit but may regulate trade.
5. It must be general and consistent with public policy.
6. It must not be unreasonable.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds that ordinance shall be in accord with Section 511 of the Local Government Code, to wit;

"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,



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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 approve City Ordinance No. 2024-009 of the City of Sagay, Negros Occidental entitled: "AN ORDINANCE PROHIBITING THE UNAUTHORIZED MANUFACTURE, SALE, DISTRIBUTION AND USE OF UNIFORMS, INSIGNIAS AND OTHER ACCOUTREMENTS OF THE PNP IN THE CITY OF SAGAY AND PRESCRIBING PENALTIES IN VIOLATION THEREOF" as a validly enacted ordinance upon compliance with Section 511 of RA 7160.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

Note: Hon. Jeffrey P. Ferrer, Vice-Governor/Presiding Officer relinquished the chair to the Temporary Presiding Officer, Hon. Jose Benito A. Alonso