



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 10TH DAY OF DECEMBER 2024

PRESENT:

Hon. Samson C. Mirhan	Temporary 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. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 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.

ON OFFICIAL BUSINESS:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Manuel Frederick O. Ko	Member - 3 rd 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. Richard Julius L. Sablan	Member - ABC

RESOLUTION NO. 1421

Series of 2024

RESOLUTION DECLARING ORDINANCE NO. 37, SERIES OF 2024 OF THE MUNICIPALITY OF LA CASTELLANA, ENTITLED: “AN ORDINANCE APPROVING THE TEMPORARY CLOSURE OF FERIA STREET (IN FRONT OF CENTENNIAL GARDEN FOR THE OPENING OF ARANGKA FOOD PARK AND GINER STREET, BRGY. ROBLES, LA CASTELLANA (IN FRONT OF PUBLIC MARKET) FOR COMMERCIAL AND INDUSTRIAL BUSINESSES AND FUND FAIR AREA FROM NOVEMBER 21, 2024 TO JANUARY 6, 2025 ON THE OCCASION OF THE TOWN'S FIESTA CELEBRATION” AS A VALID ENACTED 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, Ordinance No. 37, Series of 2024 of the Municipality of La Castellana, Negros Occidental entitled: “AN ORDINANCE APPROVING THE TEMPORARY CLOSURE OF FERIA STREET (IN FRONT OF CENTENNIAL GARDEN FOR THE OPENING OF ARANGKA FOOD PARK AND GINER STREET, BRGY. ROBLES, LA CASTELLANA (IN FRONT OF PUBLIC MARKET) FOR COMMERCIAL AND INDUSTRIAL BUSINESSES AND FUND FAIR AREA FROM NOVEMBER 21, 2024 TO JANUARY 6, 2025 ON THE OCCASION OF THE TOWN'S FIESTA CELEBRATION” was submitted for review by the Municipality of La Castellana 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 La Castellana to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject ordinance finds legal basis under the Local Government Code, to wit:

"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 xx x:"

And

Section 21. Closure and Opening of Roads. - (a) A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, That in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure is provided.

(c) Any national or local road, alley, park, or square may be temporarily closed during an actual emergency, or fiesta celebrations, public rallies, agricultural or industrial fairs, or an undertaking of public works and highways, telecommunications, and waterworks projects, the duration of which shall be specified by the local chief executive concerned in a written order:

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental under Resolution No. 1206, 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 no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

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;



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THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to approve Ordinance No. 37, Series of 2024 of the Municipality of La Castellana, Negros Occidental entitled: "AN ORDINANCE APPROVING THE TEMPORARY CLOSURE OF FERIA STREET (IN FRONT OF CENTENNIAL GARDEN FOR THE OPENING OF ARANGKA FOOD PARK AND GINER STREET, BRGY. ROBLES, LA CASTELLANA (IN FRONT OF PUBLIC MARKET) FOR COMMERCIAL AND INDUSTRIAL BUSINESSES AND FUND FAIR AREA FROM NOVEMBER 21, 2024 TO JANUARY 6, 2025 ON THE OCCASION OF THE TOWN'S FIESTA CELEBRATION" as a valid enacted Ordinance;


ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. SAMSON A. MIRHAN
Temporary Presiding Officer

ATTESTED:


JESSICA E. ALOVERA
Legislative Staff Officer V

