



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 17TH DAY OF DECEMBER 2024

PRESENT:

Hon. Jeffrey P. Ferrer
Hon. Rommel T. Debulgado
Hon. Araceli T. Somosa
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.
Hon. Samson C. Mirhan
Hon. Manuel Frederick O. Ko
Hon. Andrew Gerard L. Montelibano
Hon. Jose Benito A. Alonso
Hon. Andrew Martin Y. Torres
Hon. Anthony Dennis J. Occeño
Hon. Jeffrey T. Tubola
Hon. Valentino Miguel J. Alonso
Hon. Richard Julius L. Sablan
Hon. Mayvelyn L. Madrid

Vice-Governor /Presiding Officer

Member - 1st District
Member - 1st District
Member - 2nd District
Member - 2nd District
Member - 3rd District
Member - 3rd District
Member - 4th District
Member - 4th District
Member - 5th District
Member - 6th District
Member - 6th District
Member - ABC Rep.
Member - SK Rep.

ON OFFICIAL BUSINESS:

Hon. Rita Angela S. Gatuslao
Hon. Julius Martin D. Asistio

Member - 5th District
Member - PCL Rep.

RESOLUTION NO. 1481
Series of 2024

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-014 OF THE CITY OF SAGAY ESTABLISHING A SEPTAGE MANAGEMENT PROGRAM IN THE CITY OF SAGAY, PRESCRIBING FEES THEREOF AND FOR OTHER PURPOSES 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, City Ordinance No. 2024-014 of the City of Sagay entitled: “An Ordinance establishing a Septage Management Program in the City of Sagay, prescribing fees thereof and for other purposes” was submitted for review by the City of Sagay 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 Panlungsod of Sagay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

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WHEREAS, Republic Act No. 7160, also known as the Local Government Code of 1991, mandates the Sanggunians, as the legislative bodies of local government units, to enact ordinances and appropriate funds for the general welfare of the city and its inhabitants;

WHEREAS, the subject ordinance finds legal basis under the local government code, to wit:

Section 16. General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, 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 ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

Section 17. Basic Services and Facilities. -

(a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein.

(b) Such basic services and facilities include, but are not limited to, the following:

(vi) Solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation;

WHEREAS, DILG MC No. 2019-062 was issued prescribing the policy guidelines on Sewage Treatment and Sewage Management System. Such, likewise, provides that, "one of the main roles of the LGUs is to establish a sewage treatment and septage management system through the enactment of an ordinance;

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.*



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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;

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


THE SANGGUNIANG PANLALAWIGAN OF NEGROS OCCIDENTAL RESOLVED, as it hereby resolves, to pass and approve this resolution to wit:

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-014 OF THE CITY OF SAGAY, NEGROS OCCIDENTAL ESTABLISHING A SEPTAGE MANAGEMENT PROGRAM IN THE CITY OF SAGAY, PRESCRIBING FEES THEREOF AND FOR OTHER PURPOSES AS A VALID ENACTED ORDINANCE.

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