



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	Vice-Governor /Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	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. Jeffrey T. Tubola	Member - 6 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SK Rep.
ON OFFICIAL BUSINESS:	
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

RESOLUTION NO. 1486
Series of 2024

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 437, SERIES OF 2024 OF THE MUNICIPALITY OF MURCIA, NEGROS OCCIDENTAL ESTABLISHING AN ANIMAL BITE TREATMENT CENTER UNDER THE MURCIA HEALTH CENTER OF THE MUNICIPALITY OF MURCIA, IMPOSING FEES AND PROVIDING FUNDS THEREFORE 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, Municipal Ordinance No. 437, Series of 2024 of the Municipality of Murcia entitled: "An Ordinance establishing an Animal Bite Treatment Center under the Murcia Health Center of the Municipality of Murcia, imposing fees and providing funds therefore" was submitted for review by the Municipality of Murcia 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 Pambayan of Murcia to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

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(Page 2 of SP resolution No. 1486, Series of 2024)

WHEREAS, Section 447 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers the Sangguniang Bayan of Murcia, as the legislative body of the municipality, to enact ordinances intended to prevent and suppress activities inimical to the welfare of the inhabitants and to promote the general welfare;

WHEREAS, Section 16 of the Local Government Code of 1991 (R.A. 7160) says that, "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 ensure and support, among other things, the preservation and enrichment of culture, promote health and safety";

WHEREAS, R.A. 9482 was enacted which "mandated that there that there shall be a National Rabies Prevention and Control Program xxx." The program shall be implemented by the Department of Agriculture (DA), Department of Health (DOH), Department of the Interior and Local Government (DILG) and Department of Education (DepEd), as well as, Local Government Units (LGUs) with the assistance of the Department of Environment and Natural Resources (DENR), Non-Governmental Organizations (NGOs) and People's Organizations (POs);

WHEREAS, Section 7 (par. 6) of the said Act provides that the LGUs shall "enact additional local ordinances that will support the National Rabies Prevention and Control Program, as well as, "establish their respective Animal Bite Treatment Center", as provided for in the Joint (DA, DOH, DepEd, DILG) Administrative Order No. 01, Series of 2008;

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 and in the proper exercise of the corporate powers of the municipality as provided for under section 22 of this Code, and shall:

(6) Exercise such other powers and perform such other duties and functions as may be prescribed by law or 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, 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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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

(Page 3 of SP Resolution No. 1486, Series of 2024)

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 MUNICIPAL ORDINANCE NO. 437, SERIES OF 2024 OF THE MUNICIPALITY OF MURCIA ESTABLISHING AN ANIMAL BITE TREATMENT CENTER UNDER THE MURCIA HEALTH CENTER OF THE MUNICIPALITY OF MURCIA, IMPOSING FEES AND PROVIDING FUNDS THEREFORE AS A VALID ENACTED ORDINANCE.

UNANIMOUSLY ADOPTED.

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