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 7TH DAY OF JANUARY, 2025

PRESENT:

Hon. Jeffrey P. Ferrer	Vice-Governor/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. Manuel Frederick O. Ko	Member - 3rd District
Hon. Andrew Gerard L. Montelibano	Member - 3rd District
Hon. Jose Benito A. Alonso	Member - 4th District
Hon. Anthony Dennis J. Occeño	Member - 5th District
Hon. Valentino Miguel J. Alonso	Member - 6th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Samson C. Mirhan	Member - 2nd District
Hon. Andrew Martin Y. Torres	Member - 4th District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Jeffrey T. Tubola	Member - 6th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

RESOLUTION NO. 0019
Series of 2025

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-010 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, AMENDING CITY ORDINANCE NO. 16-6 OR "AN ORDINANCE PROHIBITING ALL MINORS TO ROAM AROUND THE BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY FROM 10:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING EXCEPT THOSE ACCOMPANIED BY ADULT RELATIVES" 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. 2024-010 of the City of Himamaylan, Negros Occidental, entitled: *"AN ORDINANCE AMENDING CITY ORDINANCE NO. 16-6 OR "AN ORDINANCE PROHIBITING ALL MINORS TO ROAM AROUND THE BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY FROM 10:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING EXCEPT THOSE ACCOMPANIED BY ADULT RELATIVES"* was submitted for review by the City of Himamaylan 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 Himamaylan 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:

> *"Article 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 and in the proper exercise of the corporate powers of the city as provided for under Section 16 of this Code xxx,:"*

WHEREAS, Section 16 of Republic Act No. 7160 provides that every local government unit shall exercise powers expressly granted, those necessarily implied, and those essential to the promotion of the general welfare, as well as powers necessary, appropriate, or incidental for efficient and effective governance;

WHEREAS, the equal commitment of local government units in protecting the welfare of the youth is manifested through the enactment of ordinances, in the likes of the one under review. The same is particularly in keeping with what is provided under Article 139 of the Child and Youth Welfare Code (P.D. 603), to wit:

> *Article 139. Curfew Hours for Children. - City or municipal councils may prescribe such curfew hours for children as may be warranted by local conditions. The duty to enforce curfew ordinances shall devolve upon the parents or guardians and the local authorities.*

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:

> *It must not contravene the Constitution or any statute.*
> *It must not be unfair or oppressive.*
> *It must not be partial or discriminatory.*
> *It must not prohibit but may regulate trade.*
> *It must be general and consistent with public policy.*
> *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;

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,

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

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-010 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, AMENDING CITY ORDINANCE NO. 16-6 OR "AN ORDINANCE PROHIBITING ALL MINORS TO ROAM AROUND THE BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE CITY FROM 10:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING EXCEPT THOSE ACCOMPANIED BY ADULT RELATIVES" AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. RICHARD JULIUS L. SABLAN
Temporary Presiding Officer

ATTESTED:

ATTY. MAKFANGEL O. ASCALON
Provincial Secretary

Note: Hon. Jeffrey P. Ferrer, Vice-Governor/Presiding Officer, relinquished the chair to the Temporary Presiding Officer, Hon. Richard Julius L. Sablan

Copy for: all concerned
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