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. Araceli T. Somosa	Member – 1st District
Hon. Rommel T. Debulgado	Member - 1st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2nd District
Hon. Andrew Gerard L. Montelibano	Member - 3rd District
Hon. Manuel Frederick O. Ko	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 – SK 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. 0025
Series of 2025

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 011, SERIES OF 2024 OF THE MUNICIPALITY OF MANAPLA, NEGROS OCCIDENTAL ENTITLED: "AN ORDINANCE AUTHORIZING MUNICIPAL MAYOR MANUEL M. ESCALANTE III TO EXECUTE AND SIGN A DEED OF DONATION BY AND BETWEEN THE MUNICIPALITY OF MANAPLA, NEGROS OCCIDENTAL AND THE BUREAU OF FIRE PROTECTION (BSP) FOR THE DONATION OF LOTS 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 7 OF ST. JOSEPH THE WORKER VILLAGE, HACIENDA PATLAGAN, BARANGAY PURISIMA, MANAPLA, NEGROS OCCIDENTAL INTENDED FOR THE CONSTRUCTION OF FIRE PROTECTION BUILDING 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. 011, Series of 2024 of the Municipality of Manapla, Negros Occidental entitled: "AN ORDINANCE AUTHORIZING MUNICIPAL MAYOR MANUEL M. ESCALANTE III TO EXECUTE AND SIGN A DEED OF DONATION BY AND BETWEEN THE MUNICIPALITY OF MANAPLA, NEGROS OCCIDENTAL AND THE BUREAU OF FIRE PROTECTION (BSP) FOR THE

DONATION OF LOTS 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 7 OF ST. JOSEPH THE WORKER VILLAGE, HACIENDA PATLAGAN, BARANGAY PURISIMA, MANAPLA, NEGROS OCCIDENTAL INTENDED FOR THE CONSTRUCTION OF FIRE PROTECTION BUILDING" was submitted for review by the City of San Carlos 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 San Carlos to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject ordinances finds legal basis in Section 22 and Section 444 of the Local Government Code of 1991 (R.A. 7160), to wit:

Section 22. Corporate Powers. –

(4) To acquire and convey real or personal property;

(5) To enter into contracts;

(c) Unless otherwise provided in this Code, no contract may be entered into by the local chief executive on behalf of the local government unit without prior authorization by the sanggunian concerned. A legible copy of such contract shall be posted at a conspicuous place in the provincial capitol or the city, municipal or barangay hall.

Section 444. The Chief Executive: Powers, Duties, Functions and Compensation. –

(1) Exercise general supervision and control over all programs, projects, services, and activities of the municipal government, and in this connection, shall:the municipal mayor shall:

(vi) Upon authorization by the sangguniang bayan, represent the municipality in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents made pursuant to law or ordinance;

WHEREAS, it is however, noteworthy in local legislation that whenever a measure is enacted by the sanggunian authorizing the local chief executive to do a particular act, it usually passes a resolution, a

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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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;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Municipal Ordinance No. 011, Series of 2024 of the Municipality of Manapla, Negros Occidental entitled: "AN ORDINANCE AUTHORIZING MUNICIPAL MAYOR MANUEL M. ESCALANTE III TO EXECUTE AND SIGN A DEED OF DONATION BY AND BETWEEN THE MUNICIPALITY OF MANAPLA, NEGROS OCCIDENTAL AND THE BUREAU OF FIRE PROTECTION (BSP) FOR THE DONATION OF LOTS 3, 4, 5, 6, 7, 8, 9 AND 10, BLOCK 7 OF ST. JOSEPH THE WORKER VILLAGE, HACIENDA PATLAGAN, BARANGAY PURISIMA, MANAPLA, NEGROS OCCIDENTAL INTENDED FOR THE CONSTRUCTION OF FIRE PROTECTION BUILDING" 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. MARI ANGEL 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.