



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 SPECIAL SESSION OF THE  
SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL  
HELD IN THE CITY OF BACOLOD ON THE 4th DAY OF FEBRUARY 2025***

**PRESENT:**

Hon. Jeffrey P. Ferrer	Vice Governor/Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 <sup>st</sup> District
Hon. Araceli T. Somosa	Member - 1 <sup>st</sup> District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 <sup>nd</sup> District
Hon. Manuel Frederick O. Ko	Member - 3 <sup>rd</sup> District
Hon. Andrew Gerard L. Montelibano	Member - 3 <sup>rd</sup> District
Hon. Jose Benito A. Alonso	Member - 4 <sup>th</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5 <sup>th</sup> District
Hon. Valentino Miguel J. Alonso	Member - 6 <sup>th</sup> District
Hon. Julius Martin D. Asistio	Member - PCL Rep
Hon. Richard Julius L. Sablan	Member – ABC Rep.
Hon. Mayvelyn L. Madrid	Member – SK Rep.

**ON OFFICIAL BUSINESS:**

Hon. Samson C. Mirhan	Member - 2 <sup>nd</sup> District
Hon. Andrew Martin Y. Torres	Member - 4 <sup>th</sup> District
Hon. Anthony Dennis J. Occeño	Member - 5 <sup>th</sup> District
Hon. Jeffrey T. Tubola	Member - 6 <sup>th</sup> District

**RESOLUTION NO. 0173  
Series of 2025**

**RESOLUTION RETURNING BACK MUNICIPAL ORDINANCE NO. 01, SERIES OF 2025 OF THE MUNICIPALITY OF VALLADOLID, NEGROS OCCIDENTAL, ENTITLED: “AN ORDINANCE TO REGULATE PUBLIC SMOKING AND VAPING IN THE MUNICIPALITY OF VALLADOLID TO PROMOTE A HEALTHY AND CLEAN ENVIRONMENT” FOR SUBSTANTIAL CORRECTIONS**

**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. 01, series of 2025 of the Municipality of Valladolid, Negros Occidental, to regulate Public Smoking and Vaping in the Municipality of Valladolid to promote a healthy and clean environment was submitted for review by the Municipality of Valladolid to the Sangguniang Panlalawigan of Negros Occidental;

**WHEREAS**, it is imperative that the ordinance seeks to align with the existing national laws, particularly Republic Act No. 9211 (Tobacco Regulation Act of 2003) and Republic Act No. 11900 (Vaporized Nicotine and Non-Nicotine Products Regulation Act);

**WHEREAS**, to ensure enforceability and avoid conflicts that may dilute the purpose and intent of these national laws, it is essential that the ordinance complements rather than contradicts the provisions of R.A. No 9211 and R.A. No. 11900;

*[Handwritten signatures and initials]*





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*(Page 2 of SP Res. No. 0173, Series of 2025)*

**WHEREAS**, while the ordinance is commendable for its objectives to promote public health, certain measures are recommended to enhance its alignment and implementation. It must explicitly adhere to Republic Act. No. 9211 and Republic Act No. 11900 by adopting their provisions on definitions, prohibited acts, and penalties while avoiding conflicts. Clear enforcement mechanisms and designated responsible agencies must also be established to guarantee effective implementation;

**WHEREAS**, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance be returned back to the Sangguniang Bayan of Valladolid for substantial corrections, to wit:

1. The ordinance should explicitly cite R.A. No 9211 and R.A. 11900 and adopt their definitions, prohibited acts, and penalties to avoid redundancy or inconsistencies.
2. The penalties under the ordinance must be proportionate and consistent with those outlined in these national laws, as overly severe or conflicting penalties could undermine its validity or result in legal challenges;
3. The ordinance should avoid provisions that dilute its purpose or conflict with national laws, such as ambiguous enforcement guidelines, which could weaken its intent
4. The ordinance should establish robust enforcement and sustainable implementation. Both R.A. 9211 and R.A. 11900 outline enforcement responsibilities that can serve as a model for local enforcement;

**WHEREAS**, the reviewing authority of the Sangguniang Panlalawigan finds that proper corrections to the ordinance are needed to comply with the review findings of the Provincial Legal Office;

**WHEREAS**, in view of the foregoing, the SP Committee on Laws, recommends returning back of the subject ordinance;

**NOW THEREFORE**, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., and duly seconded by all the members present,

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

**RESOLUTION RETURNING BACK MUNICIPAL ORDINANCE NO. 01, SERIES OF 2025 OF THE MUNICIPALITY OF VALLADOLID, NEGROS OCCIDENTAL, ENTITLED: "AN ORDINANCE TO REGULATE PUBLIC SMOKING AND VAPING IN THE MUNICIPALITY OF VALLADOLID TO PROMOTE A HEALTHY AND CLEAN ENVIRONMENT FOR SUBSTANTIAL CORRECTIONS**

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.



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*(Page 3 of SP Res. No. 0173, Series of 2025)*

CERTIFIED CORRECT:

  
**HON. VALENTINO MIGUEL J. ALONSO**  
Temporary Presiding Officer

ATTESTED:

  
**ATTY. MAKI ANGEL O. ASCALON**  
Provincial Secretary 

*Note: The Presiding Officer, Hon. Jeffrey P. Ferrer, relinquished the chair to the Temporary Presiding Officer, Hon. Valentino Miguel J. Alonso.*