



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 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	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. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th 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 nd 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

**RESOLUTION NO. 0175
Series of 2025**

***RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-007 OF THE
MUNICIPALITY OF ILOG REGULATING THE SALE, DISTRIBUTION, POSSESSION
AND USE OF FIRE CRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR
EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY
OF ILOG, NEGROS OCCIDENTAL 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. 2024-007 of the Municipality of Ilog regulating the Sale, Distribution, Possession and Use of Fire Crackers, Pyrotechnic Devices and Other similar explosives within the territorial jurisdiction of the Municipality of Ilog, Negros Occidental was submitted for review by the Municipality of Ilog, Negros Occidental was submitted for review by the Municipality of Ilog 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 Bayan of Ilog enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

3.



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WHEREAS, the Document is aligned with the R.A. 7160 otherwise of the Local Government Code especially under the General Welfare Clause, 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. xxx."

WHEREAS, the said enactment finds support in Republic Act 7183 otherwise known as "An Act Regulating the Sale, Manufacture, Distribution and Use of Firecrackers and other Pyrotechnic Devices, Section 12 of which provides:

Sec. 12 - PROMULGATION OF RULES AND REGULATION FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT. The PNP shall be primarily responsible for the administration and enforcement of this Act. It shall transmit all case for prosecution arising from violations of this Act to proper government prosecutors for appropriate action.

The PNP is hereby authorized after public hearing and consultation the firecrackers and pyrotechnic industry, to promulgate rules and regulations necessary to regulate and control the manufacture, sale, distribution, use and importation, including the determination and review of the gun powder and other raw material content of firecracker and pyrotechnic devices in accordance with the provision of this Act provided, the local chief executives shall be given the authority to promulgate the necessary rules and regulations within the territorial jurisdiction in conformity with the national standards, rule and regulations.

WHEREAS, considering that the subject ordinance imposes penal sanctions, the provision stated in Section 511 of RA 7160 is applicable herein, to wit:

"Ordinances with penal sanctions shall be posted at prominent places in the provincial capitol, city, municipal or Barangay hall, as the case may be, for a minimum period of three (3) consecutive weeks. Such Ordinances shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the local government unit concerned, except in case of Barangay Ordinances. Unless otherwise provided therein, said ordinances shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later."

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.*

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;



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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., and duly seconded by all the members present,

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

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-007 OF THE MUNICIPALITY OF ILOG REGULATING THE SALE, DISTRIBUTION, POSSESSION AND USE OF FIRE CRACKERS, PYROTECHNIC DEVICES AND OTHER SIMILAR EXPLOSIVES WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL AS A VALID ENACTED ORDINANCE

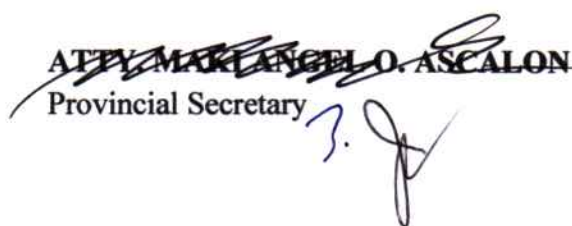
ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. VALENTINO MIGUEL J. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MARLANCEL 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.