



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 4TH DAY OF
FEBRUARY 2025**

PRESENT:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Araceli T. Somosa	Member – 1 st District
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 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. 0176

Series of 2025

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-005 OF THE MUNICIPALITY OF ILOG, NEGROS OCCIDENTAL, ENTITLED: “AN ORDINANCE EXPANDING THE MUNICIPALITY OF ILOG PUBLIC CEMETERY AT BRGY. DANCALAN AND PROVIDING GUIDELINES FOR ITS USE, OPERATION, AND MAINTENANCE INCLUDING THE COLLECTION OF FEES AND CHARGES AND IMPOSITION OF PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE ARTICLE B, CHAPTER IV AND ARTICLE D, CHAPTER V OF THE REVENUE CODE OF THE MUNICIPALITY OF ILOG” AS A VALID ENACTED ORDINANCE

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Bayan 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. 2024-005 of the Municipality of Ilog, Negros Occidental, entitled: “AN ORDINANCE EXPANDING THE MUNICIPALITY OF ILOG PUBLIC CEMETERY AT BRGY. DANCALAN AND PROVIDING GUIDELINES FOR ITS USE, OPERATION, AND MAINTENANCE, INCLUDING THE COLLECTION OF FEES AND CHARGES AND IMPOSITION OF PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE ARTICLE B, CHAPTER IV AND ARTICLE D, CHAPTER V OF THE REVENUE CODE OF THE MUNICIPALITY OF ILOG” was submitted for review by the Municipality of Ilog to the Sangguniang Panlalawigan of Negros Occidental;



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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;

WHEREAS, Section 447 of the Local Government Code of 1991 (R.A. 7160), empowers the Sangguniang Bayan to enact ordinances for the promotion of the general welfare of the municipality and its inhabitants, to wit:

SECTION 447. Powers, Duties, Functions and Compensation. - (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. xxx"

Subject to the provisions of Book II of this Code, grant franchises, enact ordinances authorizing the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, and pursuant to this legislative authority shall:

Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities;

WHEREAS, the Municipality of Ilog, through its legislative body, is empowered to prescribe the rates and charges, including penalties, related to the utility of a public cemetery.

WHEREAS, considering that the subject ordinance is one with revenue measures, the mandatory requirement of a public hearing under Sections 186 & 187 & publication in full for three (3) consecutive days in a newspaper of local circulation under Section 188 (for revenue ordinance); of R.A. 7160, must be duly complied with Sections 187 and 188 of RA 7160, to wit:

Sec. 187. Procedure for Approval and Effectivity of Tax, Ordinances and Revenue Measures; Mandatory Public Hearing.- The procedure for approval of local tax ordinances and revenue measures shall be in accordance with the provisions of this Code: Provided, That public hearings shall be conducted for the purpose prior to the enactment thereof: xxx"

Sec. 188. Publication of Tax Ordinances and Revenue Measures. - Within ten (10) days after their approval, certified true copies of all provincial, city, and municipal tax ordinances or revenue measures shall be published in full for three (3) consecutive days in a newspaper of local circulation; the same may be posted in at least two (2) conspicuous and publicly accessible places.

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., unanimously seconded by all the members present;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Municipal Ordinance No. 2024-005 of the Municipality of Ilog, Negros Occidental, entitled: "AN ORDINANCE EXPANDING THE MUNICIPALITY OF ILOG PUBLIC CEMETERY AT BRGY. DANCALAN AND PROVIDING GUIDELINES FOR ITS USE, OPERATION, AND MAINTENANCE, INCLUDING THE COLLECTION OF FEES AND CHARGES AND IMPOSITION OF PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE ARTICLE B, CHAPTER IV AND ARTICLE D, CHAPTER V OF THE REVENUE CODE OF THE MUNICIPALITY OF ILOG" 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. MAKI ANGEL O. ASCALON
Provincial Secretary

Note: Hon. Jeffrey P. Ferrer, Vice-Governor/Presiding Officer relinquished the chair to the Temporary Presiding Officer, Hon. Valentino Miguel J. Alonso.