



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 4<sup>TH</sup> DAY OF FEBRUARY, 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 - 4 <sup>th</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Valentino Miguel J. Alonso	Member - 6th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
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 - 4 <sup>th</sup> District
Hon. Anthony Dennis J. Occeño	Member - 5 <sup>th</sup> District
Hon. Jeffrey T. Tubola	Member - 6th District

**RESOLUTION NO. 0177**

Series of 2025

**RESOLUTION DECLARING ORDINANCE NO. 038, SERIES OF 2024 OF THE MUNICIPALITY OF LA CASTELLANA, NEGROS OCCIDENTAL, FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN SITIO LAPAK-TABORDA, BRGY. ROBLES, LA CASTELLANA 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**, Ordinance No. 038, Series of 2024 of the Municipality of La Castellana, Negros Occidental, entitled: "*AN ORDINANCE FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN SITIO LAPAK-TABORDA, BRGY. ROBLES, LA CASTELLANA*" was submitted for review by the Municipality of La Castellana 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 La Castellana to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;





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**WHEREAS**, the subject ordinance finds legal support from the Local Government Code of 1991 (R.A. 7160), specifically, Section 447(a)(3)(vi) of the said Code which provides, 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 pursuant to section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:*

*x x x    x x x*

*(3) 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:*

*X x x    x x x*

*(vi) Subject to the guidelines prescribed by the Department of Transportation and Communications, REGULATE THE OPERATION OF TRICYCLES AND GRANT FRANCHISES FOR THE OPERATION THEREOF WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY;*

**WHEREAS**, in line with this, the ordinance seeks to ensure the proper regulation of fare rates for motorbikes and tricycles operating within the municipality, aiming to balance public convenience, fairness and the welfare of local commuters;

**WHEREAS**, Section 16 of the Local Government Code grants Local Governments the authority to promote the general welfare of their residents, including health, safety, economic prosperity, and public convenience. Ordinance No. 24-038 aligns with this provision by regulating fare rates, ensuring public welfare in the Municipality of La Castellana;

**WHEREAS**, the subject ordinance includes a penal clause, it is required to comply with the procedural requirements for posting and publication as outlined in Section 511 of the Local Government Code of 1991, along with the public hearing requirement under Section 59 of the same Code;

**WHEREAS**, upon review, the undersigned confirms that the Municipality of La Castellana has provided proof of compliance with the aforementioned provisions;

**WHEREAS**, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental under Resolution No. 1206, 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.*



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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;

**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 ORDINANCE NO. 038, SERIES OF 2024 OF THE MUNICIPALITY OF LA CASTELLANA, NEGROS OCCIDENTAL, FIXING AND ADJUSTING THE NEW FARE RATES OF MOTORBIKES/TRICYCLES OPERATING WITHIN SITIO LAPAK-TABORDA, BRGY. ROBLES, LA CASTELLANA AS A VALID ENACTED ORDINANCE**

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

**HON. VALENTINO MIGUEL J. ALONSO**  
Presiding Officer Pro-Tempore

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