



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. 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 th 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 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6th District

RESOLUTION NO. 0179

Series of 2025

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-009 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, REGULATING THE USE OR OPERATION OF MOTOR VEHICLES WITH MODIFIED MUFFLERS WITHIN THE CITY OF HIMAMAYLAN AND PRESCRIBING PENALTIES THEREOF 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, City Ordinance No. 2024-009 of the City of Himamaylan, Negros Occidental, entitled: "*AN ORDINANCE REGULATING THE USE OR OPERATION OF MOTOR VEHICLES WITH MODIFIED MUFFLERS WITHIN THE CITY OF HIMAMAYLAN AND PRESCRIBING PENALTIES THEREOF*" was submitted for review by the City of Himamaylan 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 Himamaylan to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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WHEREAS, the enactment of City Ordinance No. 2024-009 by the City of Himamaylan, Negros Occidental, is legally grounded in the Local Government Code of 1991 (R.A. 7160), specifically Section 16, which empowers local government units (LGUs) to exercise powers necessary for effective governance and the promotion of the general welfare, including the protection of public health and safety;

WHEREAS, Section 16 of the Local Government Code of 1991 states that every LGU shall exercise powers expressly granted, those necessarily implied, and those essential for efficient governance, ensuring the promotion of health, safety, and general welfare within their territorial jurisdiction;

WHEREAS, the subject ordinance, which regulates the use of motor vehicles with modified mufflers, serves to uphold public health and safety by mitigating the harmful effects of excessive noise on public well-being. It also enhances the comfort and convenience of residents by reducing noise disturbances caused by loud mufflers, thereby reinforcing the local autonomy granted to LGUs to address community-specific concerns, such as noise pollution;

WHEREAS, the penalties prescribed in City Ordinance No. 2024-009 are legally supported by Section 458(a)(3)(vi) of the Local Government Code of 1991 which grants the Sangguniang Panlungsod the authority to regulate the operation of tricycles and grant franchises for their operation within the territorial jurisdiction of the city;

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:

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.

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 CITY ORDINANCE NO. 2024-009 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, REGULATING THE USE OR OPERATION OF MOTOR VEHICLES WITH MODIFIED MUFFLERS WITHIN THE CITY OF HIMAMAYLAN AND PRESCRIBING PENALTIES THEREOF AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.



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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

*Copy for: all concerned
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