



Republic of the Philippines  
PROVINCE OF NEGROS OCCIDENTAL  
Old Capitol Building, Bacolod City  
Tel. No. 707-8075 (Admin) \* 435-7698 (Board Member) \* 709-0121 (Legislative Division)  
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

*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 11<sup>TH</sup> DAY OF FEBRUARY 2025*

**PRESENT:**

Hon. Jeffrey T. Tubola	Temporary Presiding Officer
Hon. Mayvelyn L. Madrid	Member - SK Rep.
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. Samson C. Mirhan	Member - 2 <sup>nd</sup> District
Hon. Andrew Gerard L. Montelibano	Member - 3 <sup>rd</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5 <sup>th</sup> District
Hon. Anthony Dennis J. Occeño	Member - 5 <sup>th</sup> District
Hon. Valentino Miguel J. Alonso	Member - 6 <sup>th</sup> District

**ON OFFICIAL BUSINESS:**

Hon. Jeffrey P. Ferrer	Vice-Governor
Hon. Manuel Frederick O. Ko	Member - 3 <sup>rd</sup> District
Hon. Jose Benito A. Alonso	Member - 4 <sup>th</sup> District
Hon. Andrew Martin Y. Torres	Member - 4 <sup>th</sup> District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

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**RESOLUTION NO. 0197**  
**Series of 2025**

***RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 001, SERIES OF 2025 OF THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL, PROHIBITING STUDENTS FROM LOITERING AROUND WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TOBOSO DURING CLASS HOURS AND PROVIDING PENALTIES FOR VIOLATION THEREOF 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. 001, Series of 2025 of the Municipality of Toboso, Negros Occidental entitled: "An Ordinance prohibiting students from loitering around within the territorial jurisdiction of the Municipality of Toboso during class hours and providing penalties for violation thereof" was submitted for review by the Municipality of Toboso 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 Toboso 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 Sections 16, 28, 447, and 511 of Republic Act 7160, otherwise known as the Local Government Code of 1991, and aligning with the Department of Education (DepEd) Order No. 74, series of 2010;

**WHEREAS**, Section 16 of the Local Government Code empowers local government unit (LGUs) to 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

**WHEREAS**, Section 28 of the Local Government Code states that "The extent of operational supervision and control of local chief executives over the police force, fire protection unit, and jail management personnel assigned in their respective jurisdictions shall be governed by the provisions of Republic Act No. 6975, otherwise known as "The Department of the Interior and Local Government Act of 1990," and the rules and regulations issued pursuant thereto."

**WHEREAS**, Section 447 of the Local Government Code authorizes the Sangguniang Bayan to enact ordinances, approve resolutions, and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code.

**WHEREAS**, Section 511 (a) of the code mandates that ordinances with penal sanctions must be posted in prominent places within the municipality for at least three (3) consecutive weeks. Such ordinances shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the municipality. 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 proposed ordinance also aligns with DepEd Order No. 74, series of 2010, which encourages schools to collaborate with LGUs in maintaining a safe learning environment;

**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;

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





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**THE SANGGUNIANG PANLALAWIGAN** resolved, as it hereby resolves, to pass and approve this resolution, to wit:

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 001, SERIES OF 2025 OF THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL, PROHIBITING STUDENTS FROM LOITERING AROUND WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TOBOSO DURING CLASS HOURS AND PROVIDING PENALTIES FOR VIOLATION THEREOF AS A VALID ENACTED ORDINANCE.**

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

**HON. JEFFREY T. TUBOLA**  
Temporary Presiding Officer

ATTESTED:

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

Copy for all concerned  
@jpvresords