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 11TH DAY OF FEBRUARY, 2025

PRESENT:

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

ON OFFICIAL BUSINESS:

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

RESOLUTION NO. 0199
Series of 2025

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2025-001 OF THE MUNICIPALITY OF CANDONI, NEGROS OCCIDENTAL, REGULATING THE HOLDING OF FIESTAS AND BENEFIT DANCES IN BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF CANDONI, 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. 2025-001 of the Municipality of Candoni, Negros Occidental, entitled: *"AN ORDINANCE REGULATING THE HOLDING OF FIESTAS AND BENEFIT DANCES IN BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF CANDONI, NEGROS OCCIDENTAL"* was submitted for review by the Municipality of Candoni to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, it is the recommendation of the said Office that the subject ordinance is within the conferred powers of its Sanggunian to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the Municipality of Candoni recognizes the importance of maintaining peace and order, public safety, and the economic well-being of its residents by ensuring that fiestas and benefit dances within barangays are properly regulated;

WHEREAS, the Local Government Code of 1991 (Republic Act No. 7160) empowers local government units (LGUs) to regulate activities within their jurisdiction to promote the general welfare of their constituents;

WHEREAS, Section 16 of the Local Government Code, also known as the General Welfare Clause, provides the basis for LGUs to exercise powers necessary for their governance and the well-being of their inhabitants:

> *"Section 16. General Welfare. - LGUs 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. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the promotion of health and safety, enhancement of the right of the people to a balanced ecology, encouragement and support of the development of appropriate and self-reliant scientific and technological capabilities, improvement of public morals, enhancement of economic prosperity and social justice, promotion of full employment among their residents, maintenance of peace and order, and preservation of the comfort and convenience of their inhabitants."*

WHEREAS, under Section 447(a)(3)(i), the Sangguniang Bayan has the power to regulate amusement places, entertainment activities, and other public gatherings, including fiestas and benefit dances. Moreover, Section 2 of the Ordinance limits fiestas to Annual Fiesta and Patronal Fiesta, which aligns with the local government's mandate to regulate public gatherings for economic, peace and order, and public safety reasons, as provided under Section 447(a)(3)(iv) of the Local Government Code:

> *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:*
> >
> > *XXX*
> >
> > *(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:*
> >
> > > *(i) Fix and impose reasonable fees and charges for all services rendered by the municipal government to private persons or entities;*
> >
> > *XXX*

> *(iv) Regulate the display of and fix the license fees for signs, signboards, or billboards at the place or places where the profession or business advertised thereby is, in whole or in part, conducted;*

WHEREAS, Section 15 imposes fines ranging from Php 1,000.00 to Php 2,500.00 and/or imprisonment of up to three months for violations. This falls within the allowable penalty under Section 447(a)(1)(iii) of the LGC, which limits the imposition of penalties to fines not exceeding Php 2,500.00 and imprisonment of not more than six months;

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 MUNICIPAL ORDINANCE NO. 2025-001 OF THE MUNICIPALITY OF CANDONI, NEGROS OCCIDENTAL, REGULATING THE HOLDING OF FIESTAS AND BENEFIT DANCES IN BARANGAYS WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF CANDONI, NEGROS OCCIDENTAL 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
vee_drive d/2025 res.