



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 14TH DAY OF JANUARY 2025

PRESENT:

Hon. Jeffrey P. Ferrer	Vice-Governor /Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 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. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District

RESOLUTION NO. 0048
Series of 2025

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-020 OF THE CITY OF SIPALAY, NEGROS OCCIDENTAL, TEMPORARILY CLOSING TO VEHICULAR TRAFFIC CERTAIN PORTION OF STREETS IN THE POBLACION, SIPALAY CITY RELATIVE TO THE PASAWAY HANDURAWAN FESTIVAL 2024 AND 76TH FOUNDING ANNIVERSARY CELEBRATION THIS DECEMBER 2024 AND AUTHORIZING THE SIPALAY CITY PNP TO RE-ROUTE TRAFFIC FOR THE PURPOSE 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. 2024-020 of the City of Sipalay, Negros Occidental entitled: “An Ordinance temporarily closing to vehicular traffic certain portion of streets in the Poblacion, Sipalay City relative to the Pasaway Handurawan Festival 2024 and 76th Founding Anniversary Celebration this December 2024 and authorizing the Sipalay City PNP to re-route traffic for the purpose” was submitted for review by the City of Sipalay 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 Sipalay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

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(Page 2 of SP Resolution No. 0048, Series of 2024)

WHEREAS, the Sangguniang Panlungsod is vested with the power to enact ordinances by the Local Government Code of 1991 (R.A. 7160) under Article 458 (a), to wit:

"Article 458. (a) The Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to section 16 of this Code xxx."

WHEREAS, the said ordinance is consistent with the provisions in R.A. 7160, specifically, Section 21 thereof, to wit:

Section 21. Closure and Opening of Roads. - (a) A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, That in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure is provided.

(c) Any national or local road, alley, park, or square may be temporarily closed during an actual emergency, or fiesta celebrations, public rallies, agricultural or industrial fairs, or an undertaking of public works and highways, telecommunications, and waterworks projects, the duration of which shall be specified by the local chief executive concerned in a written order: Provided, however, That no national or local road, alley, park, or square shall be temporarily closed for athletic, cultural, or civic activities not officially sponsored, recognized, or approved by the local government unit concerned.

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:

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., unanimously seconded by all the members present;

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

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(Page 3 of SP Resolution No. 0048, Series of 2024)

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Temporary Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

NOTE: The Presiding Officer Jeffrey P. Ferrer relinquished the chair to the Temporary Presiding Officer, Hon. Jose Benito A. Alonso

*Copy for all concerned
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