



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 4th DAY OF MARCH 2025

PRESENT:

| | |
|--|-----------------------------------|
| Hon. Jose Benito A. Alonso | Temporary Presiding Officer |
| Hon. Samson C. Mirhan | Member - 2 nd District |
| 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. Andrew Gerard L. Montelibano | Member - 3 rd District |
| Hon. Andrew Martin Y. Torres | Member - 4 th District |
| Hon. Rita Angela S. Gatuslao | Member - 5 th District |
| Hon. Richard Julius L. Sablan | Member – ABC Rep. |
| Hon. Mayvelyn L. Madrid | Member – SKF Rep. |

OFFICIAL BUSINESS:

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|---------------------------------|-----------------------------------|
| Hon. Jeffrey P. Ferrer | Vice Governor |
| Hon. Manuel Frederick O. Ko | Member - 3 rd District |
| Hon. Anthony Dennis J. Occeño | Member - 5 th District |
| Hon. Jeffrey T. Tubola | Member - 6 th District |
| Hon. Valentino Miguel J. Alonso | Member - 6 th District |
| Hon. Julius Martin D. Asistio | Member - PCL Rep. |

**RESOLUTION NO. 0275
 Series of 2025**

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-280 OF THE MUNICIPALITY OF CAUAYAN PROVIDING A PACKAGE OF BENEFITS AND SERVICES FOR QUALIFIED DRIVERS AND OPERATORS OF TRICYCLE FOR HIRE IN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL AND ALLOCATING FUNDS 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, Municipal Ordinance No. 2024-280 of the Municipality of Cauayan providing a package of benefits and services for qualified drivers and operators of tricycle for hire in the Municipality of Cauayan, Negros Occidental and allocating funds thereof was submitted for review by the Municipality of Cauayan 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 Cauayan enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

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WHEREAS, the legal framework governing the ordinance primarily revolves around the Local Government Code of 1991, which grants the authority to regulate local activities for the general welfare. The following legal basis as provided under the Local Government Code of 1991 (Republic Act No. 7160), to wit:

Section 16 of Republic Act No. 7160 (General Welfare Clause) - Every local government unit 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 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.

Section 447 (a)(3)(vi) of Republic Act No. 7160 - (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:

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(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:

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(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, Municipal Ordinance No. 2024-280 establishes clear guidelines on:

- The definition of qualified drivers and operators.
- The privileges and benefits extended to tricycle drivers and operators.
- The role of the Local Government Unit (LGU) in regulating tricycle operations.
- The establishment of a Tricycle and Pedicab Regulation Unit (TPRU) to oversee compliance and implementation.
- The mechanisms for special privileges such as parking, fuel assistance, scholarships, and livelihood programs.



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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;

WHEREAS, in view of the foregoing, the SP Committee on Laws, recommends approval of the same;

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

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

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-280 OF THE MUNICIPALITY OF CAUAYAN PROVIDING A PACKAGE OF BENEFITS AND SERVICES FOR QUALIFIED DRIVERS AND OPERATORS OF TRICYCLE FOR HIRE IN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL AND ALLOCATING FUNDS THEREOF AS A VALID ENACTED ORDINANCE.

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