



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 25TH DAY OF MARCH 2025

PRESENT:

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

RESOLUTION NO. 0370
Series of 2025

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 03, SERIES OF 2025 OF THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL ENTITLED: “ORDINANCE INTEGRATING BARANGAY CLEARANCE AND PERMITS RELATED TO DOING BUSINESS APPLIED, ISSUED AND COLLECTED IN THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL AND AUTHORIZING THE REMITTANCE OF THE COLLECTIONS TO THE RESPECTIVE BARANGAYS, PURSUANT TO RA NO. 11032 ENTITLED “AN ACT PROMOTING EASE OF DOING BUSINESS AND EFFICIENT DELIVERY OF GOVERNMENT SERVICES, AMENDING FOR THE PURPOSE RA NO. 9485, OTHERWISE KNOWN AS THE ANTI-RED TAPE ACT OF 2007 AND FOR OTHER PURPOSES” 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. 03, Series of 2025 of the Municipality of Toboso, Negros Occidental entitled: “ORDINANCE INTEGRATING BARANGAY CLEARANCE AND PERMITS RELATED TO DOING BUSINESS APPLIED, ISSUED AND COLLECTED IN THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL AND AUTHORIZING THE REMITTANCE OF THE COLLECTIONS TO THE RESPECTIVE BARANGAYS, PURSUANT TO RA NO. 11032 ENTITLED “AN ACT PROMOTING EASE OF DOING BUSINESS AND EFFICIENT DELIVERY OF



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GOVERNMENT SERVICES, AMENDING FOR THE PURPOSE RA NO. 9485, OTHERWISE KNOWN AS THE ANTI-RED TAPE ACT OF 2007 AND FOR OTHER PURPOSES" 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;

WHEREAS, the subject ordinance finds legal support under Republic Act No. 11032, also known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018, which aims to streamline business-related transactions and improve government service efficiency;

WHEREAS, Section 11(f) of RA 11032 states that:

"Barangay clearances and permits related to doing business shall be applied, issued, and collected at the city/municipality in accordance with the prescribed processing time of this Act: Provided, That the share in the collections shall be remitted to the respective barangays."

WHEREAS, this provision serves as the foundation of this ordinance, ensuring that the process of securing business permits is centralized at the municipal level, thereby bureaucratic red tape and promoting ease of doing business. Furthermore, it guarantees that barangays receive their rightful share of collections, reinforcing the principle of equitable revenue distribution;

WHEREAS, in light of the foregoing, the enactment of this ordinance finds solid legal grounding under Republic Act No. 11032. By integrating the application, issuance, and collection of barangay clearances and business-related permits within the Municipality of Toboso while authorizing the remittance of collections to the respective barangays, the Local Government Unit ensures compliance with national policies on business efficiency and public service improvement;

WHEREAS, this ordinance is a step forward in enhancing the LGU's capacity to implement streamlined processes, reflecting its commitment to good governance, regulatory compliance, and economic development;

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.*



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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., unanimously seconded by all the members present;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Municipal Ordinance No. 03, Series of 2025 of the Municipality of Toboso, Negros Occidental entitled: "ORDINANCE INTEGRATING BARANGAY CLEARANCE AND PERMITS RELATED TO DOING BUSINESS APPLIED, ISSUED AND COLLECTED IN THE MUNICIPALITY OF TOBOSO, NEGROS OCCIDENTAL AND AUTHORIZING THE REMITTANCE OF THE COLLECTIONS TO THE RESPECTIVE BARANGAYS, PURSUANT TO RA NO. 11032 ENTITLED "AN ACT PROMOTING EASE OF DOING BUSINESS AND EFFICIENT DELIVERY OF GOVERNMENT SERVICES, AMENDING FOR THE PURPOSE RA NO. 9485, OTHERWISE KNOWN AS THE ANTI-RED TAPE ACT OF 2007 AND FOR OTHER PURPOSES" as a valid enacted Ordinance.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY P. FERRER
Vice Governor/ Presiding Officer

ATTESTED:


ATTY. MARI ANGEL O. ASCALON
Provincial Secretary