



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 NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 15TH DAY OF APRIL 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. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC

On Official Business:

Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Julius Martin D. Asistio	Member - PCL
Hon. Mayvelyn L. Madrid	Member - SK

RESOLUTION NO. 0436
Series of 2025


RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 440, SERIES OF 2025 OF THE MUNICIPALITY OF MURCIA PROVIDING FOR THE CEMETERY CODE OF MURCIA, NEGROS OCCIDENTAL PRESCRIBING FOR THE USE, OPERATION, AND MAINTENANCE, INCLUDING THE COLLECTION OF FEES AND CHARGES AND IMPOSING PENALTIES FOR VIOLATIONS 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. 440, series of 2025 of the Municipality of Murcia providing for the cemetery code of Murcia, Negros Occidental prescribing for the use, operation, and maintenance, including the collection of fees and charges and imposing penalties for violations thereof, was submitted for review by the Municipality of Murcia 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 Pambayan of Murcia to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the proposed ordinance of the Municipality of Murcia finds legal support from Section 17 (b) (2) (x), Section 153, Section 154, Section 186, & Section 447 (a) (4) (ix) of the Republic Act 7160 otherwise known as the Local Government Code of 1991.





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

(Page 2, Res. No. 0436, series of 2025)

WHEREAS, Section 17 (b) (2) (x) of the Republic Act 7160 mandates the Local Government Units (LGUs) to provide basic services and facilities, especially in providing a Public Cemetery for their inhabitants. This provision allows the LGU of Murcia to establish the New Murcia Public Cemetery, as mentioned in the ordinance.

WHEREAS, Sections 153 & 154 of the same code allow the LGUs to impose, collect, and fix the rates for the services rendered and the operation of public utilities owned, operated, and maintained by them within their jurisdiction. This gives the Municipality of Murcia the authority to impose a reasonable rate for its services in the New Murcia Public Cemetery;

WHEREAS, Section 186 of the same code states that the LGUs may exercise the power to levy taxes, fees or charges on any base or subject not otherwise specifically enumerated herein or taxed under the provisions of the National Internal Revenue Code, as amended, or other applicable laws: Provided, That the taxes, fees, or charges shall not be unjust, excessive, oppressive, confiscatory or contrary to declared national policy: Provided, further, That the ordinance levying such taxes, fees or charges shall not be enacted without any prior public hearing conducted for the purpose;

WHEREAS, Section 447 (a) (4) (ix) gives powers, duties, functions and compensation to the Sangguniang Bayan specifically to regulate activities relative to the use of land, buildings and structures within the municipality to promote the general welfare and for the establishment, operation, and maintenance of funeral parlors and the burial or cremation of the dead, subject to existing laws, rules and regulations;

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:

- It must not contravene the Constitution or any statute.
- It must not be unfair or oppressive.
- It must not be partial or discriminatory.
- It must not prohibit but may regulate trade.
- It must be general and consistent with public policy.
- 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 during the regular session of the Sangguniang Panlalawigan of Negros Occidental, resolved, as it hereby resolves, to pass and approve this resolution to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 440, SERIES OF 2025 OF THE MUNICIPALITY OF MURCIA PROVIDING FOR THE CEMETERY CODE OF MURCIA, NEGROS OCCIDENTAL PRESCRIBING FOR THE USE, OPERATION, AND MAINTENANCE, INCLUDING THE COLLECTION OF FEES AND CHARGES AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF, AS A VALID ENACTED ORDINANCE

a

Sgt



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

(Page 3, Res. No. 0436, series of 2025)

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. RICHARD JULIUS L. SABLAN
Temporary Presiding Officer

ATTESTED:

ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

Note: The Presiding Officer, Hon. Jeffrey P. Ferrer, relinquished the chair to the Temporary Presiding Officer, Hon. Richard Julius L. Sablan.