



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 22ND 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. Valentino Miguel J. Alonso	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. Julius Martin D. Asistio	Member - PCL
Hon. Mayvelyn L. Madrid	Member - SK

RESOLUTION NO. 0511

Series of 2025

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2025-02, OF THE
MUNICIPALITY OF CALATRAVA, NEGROS OCCIDENTAL ENTITLED: "THE
ANTI-NOISE ORDINANCE OF THE MUNICIPALITY OF CALATRAVA" 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. 2025-02, of the Municipality of Calatrava, Negros Occidental entitled: "THE ANTI-NOISE ORDINANCE OF THE MUNICIPALITY OF CALATRAVA" was submitted for review by the Municipality of Calatrava 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 Calatrava to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject ordinance finds legal support from Section 3 (i) and Section 18 of the Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, Section 3 of the Local Government Code of 1991 highlights the operative principles of decentralization. In item (i) of the said section, "Local government units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this Code and national policies."



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WHEREAS, Section 16 of the Local Government Code states that: *"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."*

WHEREAS, Section 18 of the same code also allows the LGUs to have the power and authority to establish an organization that shall be responsible for the efficient and effective implementation of their development plans, program objectives, and priorities. Therefore, the LGU of San Carlos City has the authority to reorganize its public health unit;

WHEREAS, it is also in accordance with Republic Act No. 8749, or the Philippine Clean Air Act, which provides a framework for regulating environmental pollution, including noise pollution. This law empowers local government units (LGUs) to establish guidelines and penalties for noise pollution within their jurisdictions. It sets permissible noise levels depending on the area (e.g., residential, commercial, or industrial) and time of day, recognizing stricter limits during nighttime hours to promote public health and safety. Thus, Section III (Prohibited Acts) of the ordinance aligns with the aforementioned law;

WHEREAS, however, under Section III of the abovementioned Ordinance, there appears to be a clerical error in the first paragraph of Section III:

"No person or vehicle owners shall operate or permit the operation for private and public use of vehicle whose tailpipe or muffler has been altered or modified from its original configuration either through the removal or modification of the silencer/muffler system, or replacement of the whole or component of its tailpipe system resulting in emissions beyond the acceptable standard of ambient noise in the whole community. Machinerics and equipment emitting foud and irritating sound shall be required to be installed or equipped with silencer in order not to disturb the peace, quiet, and comfort of the people."

WHEREAS, the word "foud" in the last sentence of the above paragraph is clearly a typographical error and should be corrected to loud." This correction is crucial to preserve the clarity and intent of the provision.

WHEREAS, there are two (2) "Section VIII" under the abovementioned Ordinance. The first pertains to the Repealing Clause, while the second refers to the Effectivity Clause. Having two sections labeled with the same number is a clerical oversight that may cause confusion in the interpretation and implementation of the ordinance.

WHEREAS, this office, therefore, respectfully recommends the renumbering of the final section to Section IX to maintain proper sequencing and ensure clarity and legal precision. The corrected provisions should appear as follows:

- ♦ Section VIII. Repealing Clause
- ♦ Section IX. Effectivity Clause



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

WHEREAS, 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. 2025-02, of the Municipality of Calatrava, Negros Occidental entitled: "THE ANTI-NOISE ORDINANCE OF THE MUNICIPALITY OF CALATRAVA" as a valid enacted Ordinance.

UNANIMOUSLY ADOPTED.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. VALENTINO MIGUEL J. ALONSO
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. Valentino Miguel J. Alonso.