



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 20TH DAY OF MAY 2025.

Present:

Hon. Jeffrey T. Tubola	Temporary 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. Mayvelyn L. Madrid	Member - SK
Hon. Richard Julius L. Sablan	Member - ABC

On Official Business:

Hon. Jeffrey P. Ferrer	Vice Governor
Hon. Manuel Frederick O. Ko	Member - 3 rd 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

RESOLUTION NO. 0575
Series of 2025

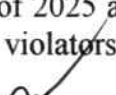



RESOLUTION DECLARING CITY ORDINANCE NO. 04, SERIES OF 2025 OF THE CITY OF SILAY AMENDING SPECIFICALLY SECTION 8 OF CITY ORDINANCE NO. 3, SERIES OF 1992, OTHERWISE KNOWN AS, AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLE FOR HIRE AND GRANTING OF FRANCHISE FOR THE OPERATOR THEREOF WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF SILAY AND PROVIDING 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's consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be b

WHEREAS, City Ordinance No. 04, series of 2025 of the City of Silay amending specifically Section 8 of City Ordinance No. 3, series of 1992, otherwise known as an Ordinance regulating the operation of motorized tricycle for hire and granting franchise for the operator thereof within the territorial jurisdiction of the City of Silay and providing penalties for its violation thereof, was submitted for review by the City of Silay 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 Silay to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, City Ordinance No. 4, Series of 2025 amends Section 8 of City Ordinance No. 3, Series of 1992 to impose higher penalties on violators of the rules governing the operation motorized tricycles for hire within Silay City .



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. 0575, series of 2025)

The ordinance introduces fines of P2,000.00 for the first offense, P3,000.00 with two (2) days of impounding for the second offense, and P4,000.00 with three (3) days of impounding for the third and subsequent offenses. It also provides for daily storage fees during impoundment. These changes were prompted by persistent violations and the proliferation of unauthorized or "colorum" units, to the detriment of duly authorized tricycle operators and the general riding public.

WHEREAS, the power of the Sangguniang Panlungsod to regulate tricycles is grounded in Section 458(a)(1)(iii) of Republic Act No. 7160, which states:

Section 458. Powers, Duties, Functions and Compensation.

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 and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall:

Approve ordinances and pass resolutions necessary for an efficient and effective city government, and in this connection, shall:

(iii) Approve ordinances imposing a fine not exceeding Five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, for the violation of a city ordinance;

WHEREAS, the general welfare clause under Section 16 of R.A. No. 7160 further reinforces this authority, declaring:

1. Section 16, Republic Act No. 7160 (Local Government Code of 1991) -

"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, the subject ordinance is therefore a valid exercise of local legislative power. The increase in fines and the imposition of impounding and storage measures are well within the legal limits and are reasonably designed to address local transportation concerns.

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:

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;



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. 0575, series of 2025)

NOW THEREFORE, premises considered, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., unanimously seconded by the member 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 CITY ORDINANCE NO. 04, SERIES OF 2025 OF THE CITY OF SILAY AMENDING SPECIFICALLY SECTION 8 OF CITY ORDINANCE NO. 3, SERIES OF 1992, OTHERWISE KNOWN AS, AN ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLE FOR HIRE AND GRANTING OF FRANCHISE FOR THE OPERATOR THEREOF WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF SILAY AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF", AS A VALID ENACTED ORDINANCE

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. JEFFREY T. TUBOLA
Temporary Presiding Officer

ATTESTED:

ATTY. MAKIANGEL O. ASCALON
Provincial Secretary

Copy for: all concerned
Res2025@senmery