



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 24TH DAY OF JUNE, 2025

PRESENT:

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

RESOLUTION NO. 0667
Series of 2025

RESOLUTION DECLARING ORDINANCE NO. 033-A, SERIES OF 2024, OF THE MUNICIPALITY OF LA CASTELLANA, NEGROS OCCIDENTAL, ENTITLED: "THE LA CASTELLANA TRAFFIC CODE OF 2024" AS A VALID ENACTED ORDINANCE

WHEREAS, the subject ordinance finds substantial legal basis in the general welfare clause and regulatory powers granted to local government units under Republic Act No. 7160, otherwise known as the Local Government Code of 1991. In particular, Section 16 and Section 447(a)(5)(v) and (vi) of the Code empower municipalities to enact ordinances to regulate traffic and ensure the safety and convenience of the general public:

"Section 16. General Welfare. - 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."

"Section 447. Powers, Duties, Functions and Compensation. - (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:

(5) Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall:

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(v) *Regulate the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvement, repair and maintenance of the same; establish bus and vehicle stops and terminals or regulate the use of the same by privately-owned vehicles which serve the public; regulate garages and the operation of conveyances for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up of signs, signposts, awnings and awning posts on the streets; provide for the lighting, cleaning and sprinkling of streets and public places;*

(vi) *Regulate traffic on all streets and bridges, prohibit the putting up of encroachments or obstacles thereon, and, when necessary in the interest of public welfare, authorize the removal of encroachments and illegal constructions in public places;*

WHEREAS, the La Castellana Traffic Code of 2024 sets forth a comprehensive regulatory framework governing vehicular and pedestrian traffic within the municipality. Notably, the ordinance contains penal provisions that impose sanctions for violations of its traffic rules and regulations. As such, it is imperative that the Municipality strictly complies with the procedural requirements prescribed under the Local Government Code for ordinances with penal sanctions.

WHEREAS, in this regard, Article XII, Section 4 of the subject ordinance explicitly provides that the ordinance shall take effect only after the conduct of a public hearing and compliance with the posting and publication requirements mandated under R.A. 7160. Consistent with this provision, the Municipality of La Castellana has submitted attachments showing proof of public posting and the conduct of a public hearing, which was held on February 23, 2024. These demonstrate procedural compliance with Sections 59 and 511 of the Local Government Code, which govern the posting, publication, and effectivity of ordinances;

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, Series of 2024, 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. duly seconded en masse during the regular session of the Sangguniang Panlalawigan of Negros Occidental,

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



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY B. FERRER
Vice-Governor/Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary