



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 16th DAY OF DECEMBER, 2025**

PRESENT:

Hon. Jose Benito A. Alonso	Vice Governor/Presiding Officer
Hon. Araceli T. Sososa	Member - 1 st District
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Arthur Christopher D. Marañon	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Genaro G. Alvarez IV	Member - 6 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SK Rep.

OFFICIAL BUSINESS:

Hon. Julius Martin D. Asistio	Member - PCL Rep.
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**RESOLUTION NO. 1349
Series of 2025**

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 445, SERIES OF 2025, OF
THE MUNICIPALITY OF MURCIA, NEGROS OCCIDENTAL PRESCRIBING FOR
THE CALIBRATION AND SEALING OF DISPENSING PUMPS OF LIQUID FUELS
RETAIL OUTLETS IN THE MUNICIPALITY OF MURCIA IMPOSING FEES IN THE
REGISTRATION, SEALING OF DISPENSING PUMPS, PROVIDING PENALTIES IN
VIOLATION THEREOF 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 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. 445, series of 2025 of the Municipality of Murcia, Negros Occidental prescribing for the calibration and sealing of dispensing pumps of liquid fuels retail outlets in the Municipality of Murcia, imposing fees in the registration, sealing of dispensing pumps, providing penalties in violation thereof and for other purposes," was submitted for review by the Municipality of Murcia to the Sangguniang Panlalawigan of Negros Occidental;

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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 Pembayan of Murcia to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the issuance of the abovementioned Ordinance primarily finds legal grounding from the Local Government Code, to wit:

"Section 148. Fees for Sealing and Licensing of Weights and Measures.

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(b) The sangguniang bayan shall prescribe the necessary regulations for the use of such weights and measures, subject to such guidelines as shall be prescribed by the Department of Science and Technology. The sanggunian concerned shall, by appropriate ordinance, penalize fraudulent practices and unlawful possession or use of instruments of weights and measures and prescribe the criminal penalty therefor in accordance with the provisions of this Code. Provided, however, That the sanggunian concerned may authorize the municipal treasurer to settle an offense not involving the commission of fraud before a case therefor is filed in court, upon payment of a compromise penalty of not less than Two hundred pesos (P200.00)."

WHEREAS, the Municipal Government of Murcia is authorized to implement the same, subject to the guidelines issued by the Department of Science and Technology (DOST). This delegation of authority empowers the municipal council to enact ordinances governing the calibration, sealing, inspection, and regulation of all instruments of weights and measures used in commercial transactions, including dispensing pumps of liquid fuels;

WHEREAS, the same provision further mandates the sangguniang bayan to penalize fraudulent practices and the unlawful possession or use of such instruments, and to prescribe the corresponding criminal penalties in accordance with the Code. This reflects the legislative intent to ensure accuracy and integrity in trade measurements and to protect consumers against deceptive or unfair practices;

WHEREAS, under the same Code, the LGU is authorized to enact measures that promote health, safety, and the general welfare of their inhabitants. Ensuring the accuracy of fuel dispensing pumps protects consumers, prevents deceptive trade practices, and promotes fair business operations;

WHEREAS, Municipal Ordinance No. 445, Series of 2025 is consistent with the authority granted to the Municipality of Murcia under the Local Government Code and with the regulatory framework established by the Department of Science and Technology on the use, calibration, and sealing of instruments of weights and measures. The Ordinance is a valid exercise of the Municipality's police power and general welfare mandate, aimed at ensuring accuracy in commercial transactions, safeguarding consumer protection, and preventing fraudulent or deceptive practices within its jurisdiction;

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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 under Resolution No. 1206, 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;

NOW THEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. and duly seconded by all the members present,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to approve Municipal Ordinance No. 445, series of 2025 of the Municipality of Murcia, Negros Occidental prescribing for the calibration and sealing of dispensing pumps of liquid fuels retail outlets in the Municipality of Murcia, imposing fees in the registration, sealing of dispensing pumps, providing penalties in violation thereof and for other purposes.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Vice Governor

ATTESTED:


ATTY. MARI ANGEL O. ASCALON
Provincial Secretary