



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 16TH DAY OF DECEMBER 2025.

Present:

Hon. Jose Benito A. Alonso	Vice Governor / Presiding Officer
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Araceli T. Somosa	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. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Nicholas M. Yulo	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. Mayvelyn L. Madrid	Member - SK
Hon. Richard Julius L. Sablan	Member - ABC

On Official Business:

Hon. Julius Martin D. Asistio	Member-PCL
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RESOLUTION NO. 1351
Series of 2025

RESOLUTION DECLARING CITY ORDINANCE NO. 2025-023 OF THE CITY OF VICTORIAS, NEGROS OCCIDENTAL, INSTITUTIONALIZING THE FULL ENFORCEMENT OF BUILDING CODE REGULATIONS ON PARKING SPACES, SETBACKS, AND SIDEWALKS WITHIN THE CITY OF VICTORIAS, APPLICABLE TO ALL NEW AND UPCOMING CONSTRUCTIONS IN COMMERCIAL AREAS, AND PROVIDING PENALTIES AND IMPLEMENTING MECHANISMS THEREFOR, 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 beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, Ordinance No. 2025-023 of the City of Victorias institutionalizing the full enforcement of Building Code regulations of parking spaces, setbacks and sidewalks within the City of Victorias, applicable to all new and upcoming constructions of commercial areas and providing penalties and implementing mechanisms therefor, was submitted for review by the City of Victorias 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 Victorias to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

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(Page 2, Res. 1351, series of 2025)

WHEREAS, the Ordinance seeks to institutionalize the strict enforcement of building-code requirements on parking spaces, setbacks, and sidewalks as a response to the city's rapid commercial expansion, which has contributed to increasing traffic congestion, sidewalk obstruction, and parking deficiencies. The measure draws authority from the National Building Code of the Philippines, which prescribes national standards governing building location, setbacks, sidewalks, parking provisions, and public safety, and which mandates under Section 207 the duty of the local Building Official to ensure compliance with such standards;

WHEREAS, corollary, the Local Government Code of 1991 empowers the Sangguniang Panlungsod to regulate land use, buildings, and structures within its territorial jurisdiction; to enact zoning and building regulations; to abate nuisances; to safeguard public safety and convenience; to promote the general welfare; and to impose penalties for violations of local ordinances. The proposed measure therefore, appears to fall within the valid exercise of the City's delegated legislative and police powers;

WHEREAS, it is likewise noted that the Ordinance expressly limits its application to new buildings, structures, and major developments for which building permit applications are filed after its effectiveness. Existing buildings are not required to undergo structural retrofitting solely for purposes of compliance, but shall remain bound by setbacks, easements, or requirements previously approved in their original building permits. This prospective application is consistent with the general rule against the retroactive operation of regulatory enactments that would impose undue burden on existing lawful uses;

WHEREAS, City Ordinance No. 2025-023 suffers from no apparent legal infirmity and is a valid exercise of the City's regulatory and police powers under the National Building Code and the Local Government Code. Accordingly, the Sangguniang Panlalawigan may consider the said Ordinance valid for approval, subject to its power of review and the usual procedural and substantive standards for local legislation;

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;

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:

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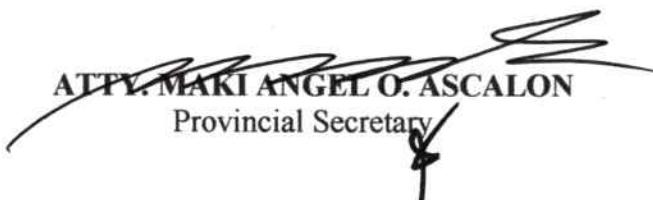
ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JOSE BENITO A. ALONSO
Vice Governor

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

Copy for all concerned
Res2025@sunmery