



Republic of the Philippines
 PROVINCE OF NEGROS OCCIDENTAL
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 South Wing, Provincial Capitol Building
 South Capitol Road, Bacolod City, Negros Occidental 6100
 Tel. Nos. 435-7698 * 433-4894 * 707-8075

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 10TH DAY MARCH 2026

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. Atty. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Genaro G. Alvarez, IV	Member - 6 th District
Hon. Mayvelyn L. Madrid	Member - SKF Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep

RESOLUTION NO. 0319
Series of 2026

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2025-06 OF THE MUNICIPALITY OF BINALBAGAN, AMENDING SECTION 3 AND 16 OF MUNICIPAL ORDINANCE NO. 2020-02 ALSO KNOWN AS "THE 2020 REVISED ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLE AND GRANTING FRANCHISE FOR THE OPERATION THEREOF IN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BINALBAGAN, NEGROS OCCIDENTAL AND PROVIDING PENALTIES FOR VIOLATION THEREOF", 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. 2025-06 of the Municipality of Binalbagan, entitled: "AN ORDINANCE AMENDING SECTION 3 AND 16 OF MUNICIPAL ORDINANCE NO. 2020-02 ALSO KNOWN AS "THE 2020 REVISED ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLE AND GRANTING FRANCHISE FOR THE OPERATION THEREOF IN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BINALBAGAN, NEGROS OCCIDENTAL AND PROVIDING PENALTIES FOR,



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VIOLATION THEREOF”, was submitted for review by the Municipality of Binalbagan 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 Binalbagan enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the said ordinance which form part of the consolidated measures for the operation of municipal revenue-generating facilities, is found to conform with the applicable provisions of the 1987 Philippine Constitution and the Local Government Code of 1991;

WHEREAS, the said ordinance is legally grounded on the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, Section 16 of the Local Government Code of 1991 states that:

“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. 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, Sec. 447 (a)(1) of the Local Government Code states that:

“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:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government...XXX

WHEREAS, the above-mentioned ordinance serve as integral component of the municipality's efforts to codify and update the fees, charges, and operational guidelines for its various revenue-generating facilities. By consolidating these measures, the Municipality ensures a streamlined administrative process that promotes transparency and efficiency in local governance;

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:



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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, the reviewing authority of the Sangguniang Panlalawigan finds that the subject ordinance lacks the posting, publication, and public hearing requirements under the Local Government Code;

NOW THEREFORE, 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 pass and approve this resolution, to wit:

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2025-06 OF THE MUNICIPALITY OF BINALBAGAN, AMENDING SECTION 3 AND 16 OF MUNICIPAL ORDINANCE NO. 2020-02 ALSO KNOWN AS "THE 2020 REVISED ORDINANCE REGULATING THE OPERATION OF MOTORIZED TRICYCLE AND GRANTING FRANCHISE FOR THE OPERATION THEREOF IN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF BINALBAGAN, NEGROS OCCIDENTAL AND PROVIDING PENALTIES FOR VIOLATION THEREOF" AS A VALID ENACTED ORDINANCE.

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