Republika Ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod ng Bacolod

Excerpt from the journal of the 27th Regular Session of the 12th Council of the Sangguniang Panlungsod, City of Bacolod held on Wednesday, January 7, 2026, at the Session Hall of Bacolod City Government Center.

PRESENT:

Vice Mayor Claudio Jesus Raymundo A. Puentevella	Presiding Officer
Councilor Jude Thaddeus A. Sayson	Floor Leader
Councilor Caesar Z. Distrito	
Councilor Em L. Ang	
Councilor Jason Isidro S. Villarosa	
Councilor Celia Matea R. Flor	
Councilor Dindo C. Ramos	
Councilor Roberto M. Rojas	
Councilor Wilson C. Gamboa, Jr.	
Councilor Psyche Marie E. Sy	
Councilor Homer Q. Bais	
Councilor Lady Gles Gonzales-Pallen	
Councilor Danna Marie C. Barzo	

OFFICIAL LEAVE:
Councilor Israel P. Salanga

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RESOLUTION NO. 16
Series of 2026

RESOLUTION RETURNING BACK BARANGAY ORDINANCE NO. 05, SERIES OF 2025 OF BARANGAY 9, BACOLOD CITY, ENTITLED: "AN ORDINANCE PROHIBITING THE NEW CONSTRUCTION AND EXPANSION OF ALL ILLEGAL STRUCTURES ALONG MAMBULOC CREEK, PUROK TAPULANGA, ONLY ALLOWING REPAIRS OF THE SAME STRUCTURE; AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF", DOCKETED AS SP CORRESPONDENCE NO. 12-25-0875, WITH COMMENTS/SUGGESTIONS.

Upon motion of Councilor Caesar Z. Distrito, jointly seconded by Councilors Dindo C. Ramos, Celia Matea R. Flor, and Lady Gles Gonzalez-Pallen, the Sangguniang Panlungsod of Bacolod

RESOLVED, to return back Barangay Ordinance No. 05, Series of 2025 of Barangay 9, Bacolod City, entitled: "An Ordinance prohibiting the new construction and expansion of all illegal structures along Mambuloc Creek, Purok Tapulanga, only allowing repairs of the same structure; and imposing penalties for violations thereof, with comments / suggestions, vis:

1. The Prohibition component is generally supportable, but the "'allow repairs and new constructions" component should be revised or deleted.

2. A Barangay may legislate measures to prevent illegal structures along creeks as part of Local Police Power exercised through Ordinance. However, the barangay cannot "authorize" or "allow" construction/repairs as a substitute for a Building Permit, whereas the National Building Code requires a permit from the Office of the Building Official for construction/repair/alteration, and enforcement/demolition mechanisms and are lodged in the proper city/municipal authorities, subject to Due Process.

3. The Ordinance should instead prohibit/penalize construction/expansion within creek/waterway zones, and require compliance with OBO permits and other clearances, treating any barangay clearance as non-permit, ministerial, and without prejudice to OBO/City action.

4. Suggested revisions are as follows, to wit:

4.1. Retain and strengthen the prohibition: "No person shall construct, expand, or extend any structure within the creek/waterway and its legally established easement/right-of-way, or any area identified by the City as a No-Build Zone."

4.2. Replace "allow repairs/new construction with a compliance clause, for example:

a) "Any repair, alteration, or construction activity outside the prohibited zone shall be allowed only upon compliance with applicable City Ordinances and upon securing the required building permit and clearances from the Office of the Building Office (OBO) and other competent agencies. Any barangay clearance, if issued, shall be ministerial, non-permissive, and shall not be construed as a building permit or authority to build."

b) Insert a non-derogation/coordination clause:

i. "This Ordinance is without prejudice to enforcement actions by the City Government, including issuance of work stoppage orders, denial of permits, and demolition/removal proceedings consistent with law and due process."

c) Avoid summary demolition language by Barangay Officials; instead provide:

i. Reporting mechanism, notices, referrals to OBO/City Legal, and assistance to authorized City Enforcement Teams.

docketed as SP Correspondence No. 12-25-0875.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors: Caesar Z. Distrito, Em L. Ang, Jude Thaddeus A. Sayson, Celia Matea R. Flor, Dindo C. Ramos, Roberto M. Rojas, Wilson C. Gamboa, Jr., Homer Q. Bais, Psyche Marie E. Sy, Lady Gles Gonzales-Pallen, Danna Marie C. Barzo