

AFFIRMING ORDINANCE NO. 05 DATED MAY 27, 2025 OF THE MUNICIPALITY OF CARMEN, THIS PROVINCE ENTITLED "AN ORDINANCE TEMPORARY CLOSING THE HUBASON RIVER RESORT AND ADVENTURE TRAIL IN THE MUNICIPALITY OF CARMEN, DUE TO LANDSCAPING AND CONSTRUCTION ACTIVITIES FOR PUBLIC SAFETY PURPOSES", IT BEING WITHIN THE SCOPE OF THE PRESCRIBED POWERS OF THE SANGGUNIAN BAYAN CONCERNED TO ENACT SUCH ORDINANCE PURSUANT TO THE LOCAL GOVERNMENT CODE OF 1991

SPONSORS:

HON. MARGARITA G. GARAY, HON. AMADO M. LAYNO, JR., HON. RUEL D. MOMO, HON. CONRAD C. CEJOCO, HON. GINES RICKY J. SAYAWAN, SR., HON. VALERIO T. MONTESCLAROS, JR., HON. JOHN PAUL C. PIMENTEL AND HON. JIMMY I. GUINSOD

WHEREAS, Chapter 3, Article III, Section 468 Par. (a) No. 1 (i) of the Local Government Code of 1991 provides that, "the sangguniang panlalawigan shall review all ordinances approved by the sanggunians of component cities and municipalities and executive orders issued by the mayors of said component units to determine whether these are within the scope of the prescribed powers of the **sanggunian** and of the mayor";

WHEREAS, Ordinance No. 05 dated May 27, 2025 of the Municipality of Carmen, this Province entitled "An Ordinance Temporary Closing the Hubason River Resort and Adventure Trail in the Municipality of Carmen, Due to Landscaping and Construction Activities for Public Safety Purposes", was submitted to this Body for review and same was referred to the Committee on Tourism, Culture, Arts and Heritage, for appropriate action;

WHEREAS, during the Committee Meeting held on June 10, 2025, the Committee recommended to approve the said Ordinance, *however, it is recommended* ~~with a recommendation that, moving forward,~~ the appropriate action for the temporary closure ~~shall~~ not be through an Ordinance but rather by the issuance of an Executive Order; *of the Municipal Mayors;*

WHEREAS, after a careful review by the Committee ~~to~~ which the matter was referred to, it was found out that it is within the ambit of the provisions of the Local Government Code of 1991;

WHEREAS, in view of the foregoing and on motion of _____, and duly seconded by _____;

NOW THEREFORE

BE IT RESOLVED by the Sangguniang Panlalawigan of Surigao del Sur to affirm Ordinance No. 05 dated May 27, 2025 of the Municipality of Carmen, this Province entitled "An Ordinance Temporary Closing the Hubason River Resort and Adventure Trail in the Municipality of Carmen, Due to Landscaping and Construction Activities for Public Safety Purposes", it being within the scope of the prescribed powers of the Sangguniang Bayan concerned to enact such Ordinance pursuant to the Local Government Code of 1991.

RESOLVED FINALLY: To furnish copies of this Resolution to Hon. Jane V. Plaza, Municipal Mayor and to the Sangguniang Bayan thru Hon. Harvey S. Manawatao, Municipal Vice Mayor/Presiding Officer, all of the Municipality of Carmen, this Province, for their information, guidance and appropriate action.