



EXCERPTS FROM THE MINUTES OF THE SEVENTEENTH (17TH) REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN HELD ON NOVEMBER 24, 2025 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

PRESENT:

Hon. Marlo PJ A. Alipon	Municipal Vice Mayor/Presiding Officer
Hon. Miko C. Pelegrina	S.B. Member
Hon. Aldous Amiel B. Perez	S.B. Member
Hon. Muriel Laisa B. Dizon	S.B. Member
Hon. Benedicto S. Alborida	S.B. Member
Hon. Rand Edouard R. De Jesus	S.B. Member
Hon. Myla E. Alinsunurin	S.B. Member
Hon. Jay G. Rolusta	S.B. Member
Hon. Gaudencio P. Macatangay	Ex-Officio Member/Liga President
Hon. Samantha Nicole A. Banasihan-Ortega	Ex-Officio Member/SK Federation President

ABSENT:

Hon. Leren Mae M. Bautista	S.B. Member, O.B.
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RESOLUTION NO. 2025-223

A RESOLUTION RETURNING WITHOUT APPROVAL THE SANGGUNIANG BARANGAY OF MAYONDON, ORDINANCE NO. 001 SERIES OF 2025 ENTITLED: "AN ORDINANCE PENALIZING NON-ATTENDANCE AT BARANGAY MEDIATION OR CONCILIATION PROCEEDINGS WITHOUT JUSTIFIABLE CAUSE."

Author

:

Councilor Jay G. Rolusta

WHEREAS, the Sangguniang Barangay of Mayondon enacted Barangay Ordinance No. 001, Series of 2025, entitled "*An Ordinance Penalizing Non-Attendance at Barangay Mediation or Conciliation Proceedings Without Justifiable Cause*";

WHEREAS, the said ordinance seeks to penalize parties who, without justifiable cause, refuse or fail to appear at barangay mediation or conciliation proceedings despite due summons issued by the Lupon Tagapamayapa or the Punong Barangay;

WHEREAS, Barangay Ordinance No. 001, Series of 2025, was forwarded to the Sangguniang Bayan for review on September 5, 2025, and was referred to the Committee on Rules chaired by the Honorable Jay G. Rolusta;

WHEREAS, upon review, it was noted that the ordinance imposes, among its penalties, the non-issuance of any barangay certificates and documents for a period of one (1) year, prompting the Committee to request legal opinions from the Department of the Interior and

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Local Government (DILG) on September 18, 2025, and from the Provincial Legal Services Office on October 15, 2025, for proper guidance;

WHEREAS, on November 3, 2025, the Sangguniang Bayan of Los Baños received Legal Opinion No. 06, Series of 2025, from the Provincial Legal Services Office, which found Section 6(a) of the ordinance—imposing a blanket one-year prohibition on the issuance of “any barangay certificates and documents”—to be legally problematic;

WHEREAS, the same legal opinion emphasized that the creation of an additional punitive measure, specifically the one-year denial of access to any and all barangay certifications, has no basis in the Local Government Code or the Katarungang Pambarangay Law, and is therefore susceptible to being declared *ultra vires*, or beyond the delegated legislative authority of the barangay;

WHEREAS, on November 19, 2025, the Sangguniang Bayan received the response letter from the DILG, stating that *“the power of local government to enact ordinances does not include the authority to impose penalties without a clear legal basis,”* and that local government units cannot validly impose such penalties in the absence of express statutory authority;

WHEREAS, pursuant to Section 57 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the Sangguniang Bayan is mandated to review barangay ordinances to ensure their conformity with law, municipal policies, and established legal standards;

WHEREAS, after review and evaluation, the Sangguniang Bayan of Los Baños finds that several provisions of Barangay Ordinance No. 001, Series of 2025, are inconsistent with national laws, rules, and jurisprudence governing the Katarungang Pambarangay, particularly with regard to allowable penalties, authority, and procedural limitations;

WHEREAS, accordingly, the Sangguniang Bayan determines that the Ordinance cannot be approved in its present form due to legal and procedural infirmities;

WHEREAS, it is necessary to return the said ordinance to the Sangguniang Barangay of Mayondon without approval and to transmit the appropriate comments and legal opinions for its possible amendment and alignment with applicable laws;

NOW, THEREFORE, on motion of Councilor Jay G. Rolusta, duly seconded by Councilor Benedicto S. Alborida, and concurred in by all members present:

RESOLVED, AS IT IS HEREBY RESOLVED, to return without approval the Sangguniang Barangay of Mayondon Ordinance No. 001, Series of 2025, entitled: *“An Ordinance Penalizing Non-Attendance at Barangay Mediation or Conciliation Proceedings Without Justifiable Cause.”*

RESOLVED FURTHER, that copies of the legal opinions issued by the Provincial Legal Services Office and the Department of the Interior and Local Government shall form an integral part of this Resolution.



3.00 Resolution No. 2025-223 11/24/2025

UNANIMOUSLY APPROVED : November 24, 2025

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


DONA T. ALBORIDA - DIZON
Secretary to the Sangguniang Bayan

CERTIFIED ADOPTED:


HON. MARLO P. J. ALIPON, MPA, REE, RMP
Vice Mayor/Presiding Officer