

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT BENJAMIN MELLIZA HALL ON MARCH 28, 1994 AT 9:00 A.M.

PRESENT:

Hon.	Jose P. Torre Franca, Jr.	.....	Vice Mayor & Presiding Officer
"	Ma. Bernardita Taasan	.....	Councilor
"	Rene Ledesma	.....	"
"	Jose Edgar Gatun	.....	"
"	Andres Triste	.....	"
"	Remedios Torato	.....	"
"	Jessie Terre	.....	"
"	Cornelia T. Teruel	.....	"
"	Dante Glarino	.....	ABC President
"	Marlon C. Torento	.....	President, Pambayang Pederasyon ng mga S.K.

ABSENT:

Hon. Agaton Tumabotabo Councilor

Municipal Ordinance No. 94-002

AN ORDINANCE REGULATING THE GRANT OF LICENSE FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPIT AND REGULATING COCKFIGHTING IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO.

SPONSORED BY: Honorable Councilor Jessie G. Terre

CO-SPONSORED BY: Hon. Councilor Rene Ledesma, Hon. Councilor Andres Triste & Hon. Dante Glarino

WHEREAS, Article 100 (a) (3) (v) of the rules and Regulations Implementing the Local Government Code of 1991, otherwise known as Republic Act. No. 7160, provides that the Sangguniang Bayan shall authorize and license the establishment, operation and maintenance of cockpits and regulating cockfighting;

WHEREAS, Municipal Ordinance No. 94002 shall govern the licensing, establishment, operation, maintenance and ownership of cockpit and regulating cockfights and the imposition of fees;

BE IT ORDAINED, as it is hereby ordained, by the Sangguniang Bayan of Tigbauan, Province of Iloilo, that:

SECTION 1. This ordinance shall be known and cited as COCKPIT AND COCKFIGHTING REGULATION OF 1994".

SECTION 2. SCOPE- This ordinance shall cover the licensing, establishment, operation, maintenance and ownership of cockpit and regulating cockfights and the imposition of fees.

SECTION 3. POLICY – it is a policy of the Local Government to ensure within the framework of society maximum development and promotion of wholesome recreation, amusement to bring the following goals:

- a.) To effectively control and regulate cockfighting towards its establishment as recreation, relaxation and source of entertainment;
- b.) To provide additional revenue of the government and income to small scale businesses;

SECTION 4. DEFINITION OF TERMS – As used in this ordinance, the following terms shall be understood, applied and constructed as follows:

- a.) Cockfighting – derby, pintakasi or tupada, or its equivalent terms used in the locality.
- b.) Zoning Law or Ordinance – Either or both national or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into specific land uses at present and future projection of needs warrant.
- c.) Bet Taker or Promoter - person who calls and takes care of bet from the owners of both gamecocks and those of either better before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- d.) Gaffer (Taga Tari) – A person knowledgeable in the art of arming fighting cocks with gaffs on either or both legs.
- e.) Referee (Sentenciador) – A person who watches and oversees the proper gaffing of fighting cocks, determines the physical condition of fighting cocks while cockfighting is in process, the injuries sustained by the cocks and their capability to continue fighting and decides and make known his decision by word.
- f.) Bettor – A person who participates in cockfighting and with the use of money or other things of value bats with other better of through the bet taker or promoter and wins or losses his bet depending upon the result of the cockfighting as announced by the Referee or Setenciador. He may be the owner of fighting cock.

SECTION 5. - COCKPIT AND COCKFIGHTING: In General.

- a.) Ownership, Operation and Management of Cockpit.

Only Filipino Citizens not otherwise inhibited by existing laws shall be allowed to town, manage and operate cockpit. Cooperative capitalization is encouraged.

- b.) Establishment of Cockpit – Only one cockpit shall be allowed to be established, operated and maintained in this municipality.
- c.) Cockpit site and Construction – Cockpit shall be constructed and operated within the appropriate area; two hundred (200) meters radius away from existing residential or commercial structures, hospitals, school buildings, churches or other public buildings. Approval or issuance of building permit for the construction of cockpit shall be made by the Municipal Engineer in accordance with building codes or engineering laws and practices.
- d.) Holding of Cockfights – Cockfighting shall be allowed only in licensed during Sundays and local fiesta for not more than three (3) days. N the absence of cockpit license in the barangay, cockfighting shall be allowed during the celebration of Barangay fiesta, for not more than three (3) days, to be held in the place provided for cockfighting; Provided however that permit shall be secured from the Office of the Municipality Mayor and payment of the corresponding fees or charges. In case of conflict of date in the holding of cockfighting between in the licensed cockpit and in that of the Barangay fiesta, the former shall prevail and the latter shall hold on or before the scheduled date of cockfighting in the licensed cockpit. It may also be held during municipal. Agricultural, commercial, industrial fair carnival or exposition for a similar period of three (3) days upon resolution of the Sangguniang Bayan. Provided no cockfighting shall be allowed on December 30 (Rizal Day), November 30 (National Heroes Day), June 12 (Independence Day), Holy Thursday, Good Friday, election or referendum day or during registration days for such election or referendum.

- e.) Cockfighting for Entertainment or For Charitable Purposes, Cockfighting may also be allowed for the entertainment of tourist or for returning Filipinos, commonly called Balikbayans” or for fund raising for charitable purposes subject for approval of the Sangguniang Bayan and such cockfighting shall only be conducted in a duly licensed cockpit.
- f.) Other games during cockfights prescribed – No gambling of any kind shall be permitted on the premises of the cockpit.

SECTION 6. – Licensing of Cockpit – The Municipal Mayor is authorized to issue license for the operation and maintenance of cockpit subject to the approval of the Sangguniang Bayan and the payments of corresponding fees here to prescribed.

SECTION 7. – Cockfighting Officials – Gaffers, referees or bet takers or promoters shall not act as such without first securing a license renewable every year and upon payment of corresponding fees here to imposed. Only licensed gaffers, referees, bet takers or promoter shall officiate in all kinds of cockfighting authorized in this Ordinance.

SECTION 8. – Imposition of Fees – There shall be collected the following:

A. ANNUAL FES	
I – COCKPIT	
a. Application / Filing Fee	P 50.00
b. Registration fee	3,000.00
c. Ocular Inspection Fee	300.00
d. Mayor's Permit Fee	500.00
II – PER PERSONNEL	
a.) Application Filing Fee	20.00/person
b.) Mayor's Permit Fee	50.00
c.) Registration Fee for Promoter/Cockpit Manager. .	400.00
d.) Registration Fee for Referee	300.00
e.) Registration Fee for Pit Manager	100.00
f.) Registration Fee for Bet Manager	100.00
g.) Registration Fee for Gaffer	100.00
h.) Registration Fee for Cashier	100.00
B. SPECIAL PERMIT:	
a. Application/Filing Fee	50.00
b. Mayor's Permit Fee :	
2-Cock Derby	200.00
3-Cock Derby	300.00
4 to 7 Cock Derby	500.00
c. PROMOTERS FEE:	
2-Cock Derby	200.00
3-Cock Derby	300.00
4-Cock Derby	400.00
5-Cock Derby	500.00
6-Cock Derby	600.00
7-Cock Derby.	700.00
d. SPORTS DEVELOPMENT FUND	100.00
C. MUNICIPAL FEES:	
a.) Hackfights:/Cockfights	
a. Bet of P2,000.00 and/or below	10.00/fight
b. Bet over P2,000.00 to 5,000.00	50.00/fight
c. Bet over P5,000.00	100.00/fight

D. AMUSEMENT TAX OF 5% OF GATE RECIEPT:

The cockpit management shall issue printed gate receipts/tickets properly stamped and authorized by the BIR District Officer for every paying aficionados and must be held responsible for the number of tickets issued.

SECTION 9. - TIME AND MANNER OF PAYMENT:

- a. Fees here to prescribe/impose shall be paid to the Municipal Treasurer upon application and issuance or corresponding permit and license renewable every year. Annual fees shall be paid within the FIRST TWENTY DAYS OF JANUARY every year thereafter.
- b. MUNICIPAL FEES AND AMUSEMENT TAX SHALL BE PAID TO THE MUNICIPAL TREASURER WITHIN THREE (3) DAYS AFTER HOLDING SUCH COCKFIGHTINGS.

SECTION 10. - SURCHARGES FOR LATE PAYMENT- Failure to pay the fees prescribed in this ordinance with time required, shall subject the concerned to a surcharge of 25% of the original amount of fees due and an interest of 2% per month to the unpaid amount of portion thereof exceed 36 months.

SECTION 11. - PENALTY - Any violation of the provisions of this ordinance shall be punishable by a fine of not less than FIVE HUNDRED (P500.00) PESOS BUT NOT EXCEEDING TWO THOUSAND FIVE HUNDRED (P2,500.00) PESOS or imprisonment of not less than ONE (1) MONTH but not more than SIX (6) MONTHS or both fine and imprisonment at the discretion of the Court.

SECTION 12. - APPLICABILITY - Other matters not expressly provided herein, provisions of PD 449 and other pertinent laws shall apply on all matters regarding the operation of cockpit and holding of cockfighting in the Municipality of Tigbauan.

SECTION 13. - SEPARABILITY CLAUSE- Any part of portion declared to be unconstitutional or invalid those parts or portion not affected thereby, shall continue to be effective and enforceable.

SECTION 14. - This ordinance shall take effect upon approval.

SECTION 15. - That copies of this ordinance shall be forwarded to the Sangguniang Panlalawigan, Province of Iloilo, for their review, comment and/ or recommendation.

ENACTED. MARCH 28, 1994.

I HEREBY CERTIFY that I have quoted correctly the foregoing approved Municipal Ordinance of the Sangguniang Bayan.

ATTESTED:

(SGD.) ELENA T. MONSERATE
Actg. SB Secretary

CONCURRED:

JOSE P.TORREFRANCA, JR.
Vice- Mayor & Presiding Officer

APPROVED:

CELSO T. LEDESMA
Municipal Mayor