

Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 25 AUGUST 1997, 9:00 A.M. AT BARANGAY LITTLE TANAUAN, ROXAS, ORIENTAL MINDORO.

Present:

Vice Mayor Jesus M. Dimapilis	- Presiding Officer
Kagawad Cesar T. Baticos	- Member
Kagawad Ferdinand V. Talens	- Member
Kagawad Angeles D. Bautista	- Member
Kagawad Jesus S. Dela Cruz	- Member
Kagawad Juanito A. Bacay, Jr.	- Member
Kagawad Honesto O. Taytay	- Member
Kagawad Eduardo G. Villamin	- Member, ABC President

Absent:

Kagawad Ramil O. Dimapilis	- Member
Kagawad Ranulfo C. Bernal	- Member
Kagawad Randy P. Valencia	- Member, SK Chairman

ORDINANCE NO. 05
Series of 1997

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, LAYING CONDITIONS FOR THE ISSUANCE OF FRANCHISE, LICENSE THEREOF, REGULATION OF COCKFIGHTING AND BREEDING OF GAMECOCKS IN THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO.

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO THAT:

- SECTION 1. TITLE - This Ordinance shall be known as the Cockfighting Ordinance of Roxas, Oriental Mindoro.
- SECTION 2. SCOPE - This Ordinance shall govern the issuance of franchise or license on the establishment, operation and maintenance of cockpits and ownership thereof. It also provides for the regulation of cockfighting and the commercial breeding of gamecocks.
- SECTION 3. DECLARATION OF POLICY - (a) It is the policy of this ordinance to place cockfighting in its true context as a traditional, customary, popular and favorite wholesome recreation and amusement of all Filipinos. (b) It is also the purpose of this ordinance to achieve the following goals:
- (1) To see to it that cockfighting as a Filipino sport may not be commercialized and placed in the hands of unscrupulous and profit-hungry Filipino.
 - (2) To make cockfighting available as a favorite past-time even to the poorest Filipinos.

- (3) To maintain and preserve cockfighting as a simple, lawful and commercial form of entertainment for Filipinos and as an alternative for illegal gambling.
- (4) To make cockfighting as a means of enhancing the good Filipino traits of honesty, trustworthy and probity and as instrument of providing wholesome sportsmanship, friendship and camaraderie among cockfighting aficionados; and
- (5) To provide additional revenues for the Municipality of Roxas, Province of Oriental Mindoro.

SECTION

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

- (a) COCKFIGHTING (Sabong) — shall mean the commonly known game or term cockfighting and shall embrace derby, pintakasi, tupada or its equivalent in different Philippine localities.
- (b) COCKPIT (Sabungan) — this properly mean the commonly known game of compartment provided with one or more gates or doors as definite points for entrance and exit and licensed in accordance herewith for holding of cockfighting, derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- (c) COCKFIGHT (Soltada) — the actual fight or physical combat of two (2) pitted or evenly matched gamecocks, where bets for either side are laid.
- (d) INTERNATIONAL DERBY — means a cockfight promotion with foreign countries.
- (e) NATIONAL DERBY — means a cockfight promotion with nationwide participants.
- (f) REGIONAL DERBY - means a cockfight promotion with regional participants or entries.
- (g) REGULAR COCKFIGHT — means a cockfight held on Saturdays and Sundays or legal holidays.
- (h) SPECIAL COCKFIGHT — means a cockfight held on days other than Saturdays and Sundays or legal holidays.
- (i) SPECIAL PERMIT — means a permit secured from the Municipal Mayor to hold cockfighting on days other than Saturdays or legal holidays.
- (j) PT MANAGER — a person who professionally, regularly and habit-ually manages a cockfighting herein. He may or may not be the owner of the cockpit himself.
- (k) REFEREE (sentenciador) — means a person who matches and oversees the progress of the cockfight and decides its result by announcing the winner or declaring a draw or non-contest game.
- (l) BE MANAGER (kasador) — a person who calls and takes care of bets from owner of both gamecocks and those of other bettors before he orders a commencement of the cockfight and thereafter deducting a certain commission.
- (m) BET TAKER — a person who participates in cockfighting and with the use of money or other things of value, bets with other bettors or through other bet takers and win or losses his bets depending upon the result of the cockfight as announced by the referee or sentenciador.

- (n) GAFFER (mananari) — a person knowledgeable in the technique of arming fighting cocks with gaffs on either or both legs.
- (o) HANDLER (soltador) — a person who permanently takes physical custody and control inside the arena of a pitted gamecock and who actually releases the same for actual fight and combat in a cockfight.
- (p) PROMOTER — a person licensed by the Mayor who is engaged in convening meetings, holdings and the celebration of especially programmed or competitions special main or matches set to or encounters, pintakasi and ordinary fights or cockfights.
- (q) GAMECOCK — refers to domesticated fowls, whether imported or locally breed, as well as native fighting cocks indigenous to the country, specially breeding purposes for eventual use in cockfighting.
- (r) BREEDER — a person engaged in gamefowl breeding or propagation for personal and/or commercial purposes for eventual use in cockfighting.
- (s) COCKER (aficionado) - a person who participates and bets in cockfighting in a sport amusement, recreation or forum or relaxation.
- (t) ZONING LAW OR ORDINANCE — either or both national or local, city or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into a specified land use as present and future projection of needs in accordance with law or ordinance.
- (u) FRANCHISE — a right or privilege granted by a government or sovereign to any person or corporation to engage in a specialized activity. It has the same meaning as license.
- (v) COMMERCIAL BREEDING OF GAMECOCKS - means an annual sale of more than five (5) fighting cocks by a duly registered breeder.

SECTION

- 5. OWNERSHIP, OPERATION AND MANAGEMENT OF COCKPITS — The following persons or entities may own, operate or manage cockpits:

- (a) Filipino citizens not otherwise prohibited by law.
- (b) Cooperative and corporation, the capitalization which is one hundred percent (100%) Filipino owned, formed, organized or licensed for such purpose.

SECTION

- 6. ESTABLISHMENT OR COCKPITS — only one (1) cockpit may be established, maintained or operated in the Municipality of Roxas, Oriental Mindoro provided however, that cockpits already existing and actually operating, duly licensed and which fulfills the requirements with respect to site, location and construction, not in excess of the number herein allowed, shall be given priority in the granting of license or franchise to operate.

SECTION

- 7. SITE AND LOCATION OF COCKPITS — No cockpit shall be established, maintained and/or operated within a radius of two hundred (200) lineal meters from any existing residential or commercial area, hospital, schoolbuildings, churches or other public buildings.

- (b) No two (2) licenses or franchise may be issued or granted to one and the same person.

(c) A cockpit may be established and operated as an adjust or resorts and/or recreational project sites duly recognized and registered with the Philippine Tourism Authority.

(d) No cockpit may be constructed in any barangay without first securing a clearance or permit from the Barangay Captain concerned.

SECTION

8. POWER OR AUTHORITY TO GRANT FRANCHISE OR LICENSE - Authority is hereby vested with the Sangguniang Bayan of Roxas, Oriental Mindoro to grant or issue franchise or license to establish, maintain and operate a cockpit in the Municipality of Roxas, Oriental Mindoro to any qualified person, cooperative or corporation in accordance with the provisions of this ordinance.

SECTION

9. TERM OF FRANCHISE - The franchise or license issued shall be valid for term of three (3) years from date of issuance, renewal by the Sangguniang Bayan for the same period after compliance with all the conditions for renewal as provided for herein.

SECTION

10. REQUIREMENTS IN THE GRANTING OF LICENSE OR FRANCHISE:

A) NEW LICENSE - Every application for a new license to operate and maintain a cockpit shall be filed with the Sangguniang Bayan of Roxas accompanied with the following papers:

- (1) location and vicinity plan of the cockpit;
- (2) The cockpit building plan/design as approved by the Municipal Engineer and certified by him to the effect that the cockpit was constructed in accordance with such approved plan/design in the area allowed or specified in the Municipal Zoning Compliance.
- (3) A certification by the Municipal Engineer to the effect that the location or site of the cockpit is not within a radius of two hundred (200) lineal meters from any existing residential or commercial area, hospital, schoolbuildings, church or other public building.
- (4) Official receipts showing payment of Municipal Taxes, fees and other levies prescribed by ordinances.
- (5) Clearance from the Barangay Captain concerned allowing construction of said cockpit in his barangay.
- (6) Mayor's permit to construct a cockpit
- (7) Health certificate issued by the Municipal Health Doctor
- (8) Affidavit of applicant that he is not related within the fourth degree of consanguinity or affinity to any person who has been previously granted franchise or license to operate a cockpit at the time of filing of the application for a franchise.
- (9) Copies of certified true copies of the Income Tax Return of the applicant for the last three (3) consecutive years.
- (10) Environmental Clearance Certificate from the DENR.

B) RENEWAL OF FRANCHISE — Every applicant for the renewal of a license or franchise shall be submitted to the Sangguniang Bayan not later than January 15 of each year or expiration. It shall be accompanied with the following papers:

(1) Official receipts showing payment of Municipal Taxes Ordinance.

(2) Certification by the Municipal Engineer that the building housing the cockpit is free from any material, structural or other defects, that it is also free from fire hazards and it is suitable for cockfighting purposes.

(3) Affidavit by applicant that he is not related within the fourth degree of consanguinity or affinity and operating a cockpit at the time of filing of application.

(4) Clearance from the Barangay Captain

(5) Mayor's Permit;

(6) Health Certificate by the Municipal Health Doctor.

(7) Copies or certified true copies of the Income Tax Return of the applicant for the last three (3) consecutive years.

SECTION

11. LIMITATIONS IN THE ISSUANCE OF FRANCHISE:

(a) No franchise or license shall be issued to any person who has been previously convicted by final judgement of a crime involving moral turpitude of offense against property.

(b) No license shall be granted any person without first securing a permit from the Barangay Captain concerned.

(c) No franchise shall be granted to any person who is related within the fourth degree of consanguinity or affinity to a holder of a franchise and who is actually maintaining and operating a cockpit at the time of filing the application.

(d) No franchise shall be granted to any zoning ordinance, laws or regulation duly promulgated.

(e) No cockfight shall be allowed to operate without the proper registration certificate.

(f) No two (2) franchise shall be granted to one person, cooperative or corporation.

“ After franchise has been granted by the Sangguniang Bayan, it shall be registered by the grantee with the Office of the Mayor within ten (10) days from issuance thereof. The Municipal Mayor shall register the franchise and issue the corresponding registration certificate and license to operate, which shall be valid for a period of three (3) years”.

SECTION 12.

REGISTRATION OF COCKPITS — All existing cockpits established, maintained and operated in the Municipality of Roxas, Oriental Mindoro shall register with the Office of the Mayor within thirty (30) days after the approval of this ordinance and every year thereafter.

No cockpit shall be allowed to operate without the proper registration certificate first being secured every year not later than January 15.