



Republic of the Philippines
PROVINCE OF SORSOGON
MUNICIPALITY OF GUBAT

Office of the Sangguniang Bayan

EXCERPTS FROM THE MINUTES OF THE 14th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUBAT, SORSOGON HELD ON MONDAY, APRIL 22, 2019 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Honorable Sixto F. Estareja	- Municipal Vice Mayor, P. O.
Honorable John Paul E. Erlano	- Member, Sangguniang Bayan
Honorable Cesar D. Esperida, Jr.	- Member, Sangguniang Bayan
Honorable Danilo E. Enaje	- Member, Sangguniang Bayan
Honorable Kenneth D. Escandor	- Member, Sangguniang Bayan
Honorable Anthony C. Callos	- Member, Sangguniang Bayan
Honorable Valentin A. Pura IV	- Member, Sangguniang Bayan
Honorable Aiza E. Encinares	- Member, Sangguniang Bayan
Honorable Ramon E. Entico	- Member, Sangguniang Bayan
Honorable Norven E. Ariola	- SKMF Acting President
Honorable Ramilo S. Fajardo	- LNB Acting President

ABSENT: N O N E

MUNICIPAL ORDINANCE NO. 2019 - 004

AN ORDINANCE PRESCRIBING NEW GUIDELINES FOR THE GRANT OF AN AUTHORITY OR LICENSE TO OPERATE COCKPIT ARENA AND OTHER REGULATIONS RELATIVE THERETO.

Principal Sponsor: Hon. Ramon E. Entico and Hon. Ramilo S. Fajardo
Co-Sponsors: Hon. John Paul E. Erlano, Hon. Cesar D. Esperida, Jr., Hon. Danilo E. Enaje,
Hon. Kenneth D. Escandor, Hon. Anthony C. Callos,, Hon. Valentin A. Pura IV,
Hon. Aiza E. Encinares and Hon. Norven E. Ariola

BE IT ORDAINED BY THE SANGGUNIANG BAYAN IN SESSION THAT:

Section 1. This ordinance shall be known as "The 2019 Cockfighting Ordinance of the Municipality of Gubat, Province of Sorsogon"

Section 2. Definition of Terms:

- a) Cockfighting (Borolang) - is a sport of fitting or evenly matching gamecocks to engage in an actual fight where bets on either side are laid. It shall also mean the commonly known game or term "derby", "pintakasi", "ulutan", "tupada' or its equivalent term in different Philippine localities.

- b) Cockpit (Bolangan) - is a commercial building at the center of which is an enclosed cockfighting arena and surrounded by seats provided for bettors and other aficionados. It is a place provided with one or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting, derby, pintakasi, tupada or its equivalent term in different Philippine Localities.
- c) Fighting Cock/Game Cock - also called rooster, whether locally bred or imported or hybrids primarily for cockfighting. It also refers to domesticated fowls whether imported or locally bred, as well as the native fighting cocks indigenous to the country, especially bred, trained and conditioned for actual cockfighting or for propagation and breeding purposes for eventual use in cockfighting.
- d) Local Derby - is an invitational cockfight participated in by game cockers or cockfighting aficionados of the Philippines with "pot money" awarded to the proclaimed winning entry.
- e) International Derby - refers to any invitational cockfight participated in by local and foreign game cockers or cockfighting aficionados with pot money awarded to the proclaimed winning entry.
- f) Regular cockfight - means cockfight held at the designated cockpit arena usually on Sundays.
- g) Special Cockfight - shall mean a cockfight held on days other than the scheduled regular cockfights usually done on a single day.
- h) Pintakasi - is a special two or three day cockfighting event scheduled usually on weekdays with an intended beneficiary such as a charitable institution or group.
- i) Derby - a special cockfighting event of an even bigger scale and participated in by bigtime breeder.
- j) Special Permit - Shall mean a permit granted by the Municipal Mayor to hold cockfighting on days other than regular cockfight.
- k) Pit Manager - A person who professionally, regularly and habitually manages a cockpit and cockfights therein. He may or may not be the owner of the cockpit himself.
- l) Referee (Sentenciador) - A person who matches and oversees the progress of the cockfight and decides its result by announcing the winner or declaring a draw or a no-contest game.
- m) Bet Taker (Kristo) - A person who participates in cockfights and, with the use of money or other things of value, bets with only bettors or through other bet takers and wins or loses his bets depending upon the result of the cockfight as announced by the referee or sentenciador.
- n) Gaffer (Paratadi) - A person knowledgeable in the technique of arming fighting cocks with gaff or gaffs on either or both legs.
- o) Gaff Wound Healer - A person who administer wounded fighting cock..

- p) **Promoter** - A person engaged in the convening and holding of specially programmed and arranged cockfighting like local and national derbies, or competitions.
- q) **Breeder** - A person engaged in game fowl breeding or propagation for personal and/or purposes for eventual use in cockfighting.
- r) **Cocker (Aficionado)** - A person who participates and bets in cockfighting as a sport, amusement, recreation or form of relaxation.

Section 3: REGULATORY ACTS

A. Pursuant to Section 447 (3) (v) of the Local Government Code of 1991 otherwise known as the "Republic Act 7160" *"Any Law to the Contrary Notwithstanding, authorize and license the establishment, operation and maintenance of cockpits and regulate cockfighting and commercial breeding of gamecocks."*

B. One cockpit for every 100,000 populations or fraction thereof be allowed to operate in the municipality of Gubat, Sorsogon.

C. Imposition of Fees

1. Application filing fee	500.00
1.a. Annual cockpit permit fee	10,000.00
1.b. Franchise Fee (3 years)	P30,000.00

2. Derby Fees:

2 - Cock Derby	P	4,000.00
3 - Cock Derby		5,000.00
4 - Cock Derby		6,000.00
5 - Cock Derby		7,000.00
Fee per Sultada		100.00

Special cockfights (pintakasi)	3,000.00/day
One - day Special cockfight (Ulutan)	3,500.00/day
Fee per Sultada	50.00

3. There shall be a fee for every match or "sultada" during derby at the rate of Two Hundred Pesos (P200.00) by the winning entry which shall be paid to the Municipal Treasurer at the end of every cockfighting day.

4. The operator shall also pay the amusement tax imposed by the Provincial Government aside from the above-mentioned fees by the municipal government.

5. Annual Fees of cockpit personnel

a. Promoters/Hosts	P 500.00
b. Pit Manager	1,000.00
c. Referee	500.00
d. Bet Taker (Kristo/Llamador)	500.00
e. Bet Manager (Maciador/Kasador)	2,000.00
f. Gaffer (Mananari)	500.00
g. Cashier	500.00

h. Derby (Matchmaker)	500.00
i. Gate cashier	300.00
jk. Gate in-charge (Mamiminto)	300.00
k. Ring Bet Taker	500.00
l. Janitor	200.00

4. The annual cockpit permit fee is payable upon application of a permit before a cockpit shall be allowed to operate and within the first twenty days of January of each year in case of renewal thereof.

On derbies and special cockfights, the fees herein imposed shall be payable to the Municipal Treasurer before the same can be lawfully held.

5. The permit fee for cockpit personnel shall be paid before they participate in a cockfight and pay annually upon renewal of the permit on the birth month of the permittee. Only duly registered and licensed personnel shall take part in all kinds of cockfights held in this Municipality. No operator or owner of a cockpit shall employ or allow to participate in a cockfight any of the above-mentioned personnel unless he has registered and paid the fee herein required.
6. The franchise to operate a cockpit, or renewal hereof, shall be granted by the Sangguniang Bayan of Gubat, Sorsogon and shall be in effect for a period of three (3) years unless terminated by the Sangguniang Bayan for violation of the provision of this ordinance and related regulations. Present franchise holder will have the option to renew the franchise within 30 days after the expiration. Failure to file the renewal on the prescribed period will pass on the option to other applications. This is a requisite in the issuance of a Permit to operate from the Mayor's Office.
7. Requirements for Application for Franchise.

3.7.1. New Applicants

1. Proof of Payment of fees herein imposed (Franchise Fee, Application Filing Fee and Annual Cockpit Permit Fee)
2. Registration of Business from either SEC or DTI
3. Proof of Ownership of the Land or Lease Contract if being leased
4. Proof of Financial Capacity, Company Profile Development Program and Project Impact Assessment
5. Clearances (Barangay, Mayor's Clearance, DAR Clearance, HLURB and DENR)
6. Barangay resolution interposing no objection
7. Barangay Clearance for each employee Mayor's Clearance of each employee
8. Health Certificate of each employee
9. Sanitation Permit
10. Fire Clearance
11. Land Reclassification if required (for Agricultural Land)
12. Zoning Clearance and Building Permit
13. Game fowl Commission endorsement

3.7.2. For Renewal

1. Clearances from the Treasurer's Office on Payment of Dues (Franchise Fee, Application Filing Fee, Annual Cockpit Permit Fee, Tax, RPT, etc.)
2. New Lease Contract, if applicable
3. Audited Financial Statement
4. Certification for the Municipal Engineer on the Worthiness of the Structure
5. Sanitary and Health and Fire Clearance
9. No Cockpit shall be operated within the radius of 200 meters from school and other public buildings and churches.

Aside from the operations of a cockpit all other business activities inside the premises of the cockpit will have to secure a Mayor's Permit relative to its operations and pay corresponding business taxes and Mayor's Permit Fees.

Article IV: CONDUCT OF COCKFIGHTING

Section 1. Regular cockfight may be held only on Sundays and other legal holidays.

Provided that no cockfights shall be held during the following days:

- a. New Year's Day
- b. Holy Thursday
- c. Good Friday
- d. Philippine Independence Day
- e. All Saints Day
- f. Christmas Day
- g. Election/Referendum Day
- h. Registration Day for such election/referendum.

Section 2. Derbies may be conducted and allowed upon application of the owner/promoter with the Office of the Mayor and duly approved through a resolution from the Sangguniang Bayan. Application for such derby shall be filed with the Mayor's Office at least fifteen (15) days before the intended event.

Section 3. Special cockfights/Ulutan may be conducted only by virtue of special permit to be issued by the Local Chief Executive with the concurrence of the Sangguniang Bayan through a resolution.

Provided, that the issuance of special permit for special cockfights shall comply with the provisions of the Municipality's Administrative Code. The Mayor with the concurrence of the Sangguniang Bayan may issue special permits for special cockfights to a maximum of Two (2) times a week provided that no two (2) permits shall be issued in one particular week.

- a. For not more than three (3) consecutive days and not more than once a year during municipal fiestas or barangay fiestas as fixed by the Sangguniang Bayan;
- b. For not more than three (3) consecutive days on the occasion of an agricultural or industrial fair.

For the entertainment of foreign dignitaries or for tourist or returning Filipinos, commonly known as "Balikbayans" provided that the only one (1) permit may be issued

for the purpose within a calendar year and for a period not exceeding three (3) consecutive days.

d. For the support of national fund-raising campaigns for charitable purpose as maybe authorized by the Office of the President that this privilege shall be granted for only one time within the calendar year for a period not exceeding three (3) consecutive days. Every application shall be signed by the owner/operator or licensee of the cockpit and countersigned by the promoter or a representative of the beneficiary, to be supported with the necessary documents as follows:

1. A copy of proclamation authorizing the fund raising campaign;
2. Letter request of the beneficiary to the cockpit owner, operator or licensee to stage such special cockfight;
3. Resolution of the Sanggunian concerned during official Municipal/Barangay fiestas and agricultural/industrial fairs;
4. Resolution of the Sanggunian concerned for the support of national fund raising campaign for charitable or other purposes as may be authorized by the Office of the Mayor.

Article VI: PROHIBITIONS

Section 1 .Selling and consumptions of liquor and other alcoholic beverages are prohibited within the premises of the cockpit.

Section 2. Other Gambling Game Prohibited - No gambling of any kind shall be permitted in the premises of the cockpit during the cockfights. The owner, manager or lessee of such cockpit and the violators of this Section shall be criminally liable under the provisions of this code.

Section 3. Carrying of firearms and deadly weapons inside the cockpit premises is strictly prohibited, except for security personnel, police/military authorities, civilian/holder of a Permit To Carry Firearms Outside of Residence (PTCFOR) and other persons authorized under existing laws.

Section 4. Prohibition against Minors. - No person less than eighteen (18) years of age shall be inside the premises of the cockpit and to bet on the cockfights. The operator, manager or licenses shall be responsible for strict compliance with this rule.

Article VII: PENAL PROVTSIONS

Section 1. Violation of any provision of this ordinance shall have the following penalties:

1. First Offense - two weeks suspension of franchise. No cockfights shall be allowed during the period of suspension.
2. Second Offense- one month suspension of franchise. No cockfights shall be allowed during the period of suspension.
3. Third Offense - Revocation of Franchise,

Article VIII. OTHER PROVISIONS

Section 1. **APPLICABILITY CLAUSE.** The provision of PD 449, otherwise known as the cockfighting Law of 1974, PD1B02 (creating the Philippine Game Fowl commission), and such other pertinent laws shall apply in suppletory to all matters regarding the operation of cockpits in this Municipality.

Section 2. **SEPARABILITY CLAUSE.** If for any reason, any provision, section or part of this ordinance shall be held to be unconstitutional or invalid, other parts or provision thereof which are not affected shall continue be in full force and effect.

Section 3. **REPEALING CLAUSE.** All ordinances, rules and regulations, or part thereof, whose provisions are in conflict with, or contrary, to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 4. **EFFECTIVITY.** This ordinance shall take effect after its publication for at least three (3) consecutive times in a newspaper of general circulation in the Province of Sorsogon.

UNANIMOUSLY ORDAINED AND APPROVED.

I HEREBY CERTIFY TO THE
CORRECTNESS OF THE FOREGOING:


JOEY P. ENAJE
Secretary to the Sangguniang Bayan

Attested by:


HON. SIXTO ESTAREJA
Municipal Vice Mayor, Presiding Officer

Approved By:


HON. SHARON ROSE G. ESCOTO
Municipal Mayor