



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
EIGHTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 4th REGULAR SESSION
 OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON JULY 23, 2019, 9:00 A.M., TUESDAY,
 AT THE SANGGUNIAN PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
Hon. Imogen Claire M. Callangan	-do-
Hon. Danilo L. Baccay	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Arnel T. Arugay	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Grace B. Arago	-do-
Hon. Raymund P. Guzman	-do-
Hon. Karina S. Gauani	-do-
Hon. Herbert Victor N. Perez	-do-
Hon. Gil G. Pagulayan	Ex Officio Member
Hon. Karen L. Taguinod	Ex Officio Member



ABSENT:

Hon. Gilbert S. Labang Sangguniang Panlungsod Member (on Vacation Leave)

CITY ORDINANCE NO. 32-08-2019

AN ORDINANCE AMENDING ORDINANCE NO. 08-2005, OTHERWISE KNOWN AS THE TUGUEGARAO CITY REVISED COCKFIGHTING ORDINANCE OF 2005

Sponsors: **Hon. Danilo L. Baccay**
Hon. Winnoco R. Abraham
Hon. Raymund P. Guzman

WHEREAS, Republic Act 7160, otherwise known as the Local Government Code of 1991, specifically Article 3, Section 458, paragraph 3, sub-paragraph (v) of its Implementing Rules and Regulations mandates the Sangguniang Panlungsod to regulate cockfighting and grant license for the establishment, operation and maintenance of cockpits;

WHEREAS, to regulate cockfighting and the establishment, operation and maintenance of cockpits, the then Sangguniang Bayan of Tuguegarao enacted in 1999 Ordinance No. 04-99, otherwise known as the Cockfighting Ordinance of the Municipality of Tuguegarao, which was amended by City Ordinance No. 08-2005, otherwise known as the "Tuguegarao City Revised Cockfighting Ordinance of 2005";

WHEREAS, there is a need to amend and update City Ordinance No. 08-2005 due to recent developments.

NOW, THEREFORE, be it ORDAINED by the Sangguniang Panlungsod, in session assembled, to enact:

SECTION 1. TITLE. This Ordinance shall be known as the "TUGUEGARAO CITY REVISED COCKFIGHTING ORDINANCE OF 2019."

SECTION 2. SCOPE. This Ordinance shall govern the establishment, operation, maintenance and *ownership* of cockpits and the regulation of cockfighting in the city and the imposition of taxes, fees and other charges thereof.

SECTION 3. DEFINITION OF TERMS. For purposes of clarity of this Ordinance, the following terms shall be understood, applied and construed as follows:

- a. **Cockfighting (Sabong)** – shall embrace and mean the commonly known game or term cockfighting, derby, “pintakasi”, hack fight or its equivalent terms in different Philippine localities.
- b. **Cockpit (Sabungan)** – the properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfights, derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- c. **Cockfight (Sultada)** – the actual fight or physical combat of two (2) pitted or evenly matched gamecocks where bets on either side are laid.
- d. **Derby** – a cockfight promotion participated in by cockers and breeders.
- e. **Cocker** – a person who participates and invests in cockfighting as a sport amusement, recreation or form of relaxation.
- f. **Breeder** – a person engaged in game fowl breeding for propagation or personal and/or commercial purposes for eventual use in cockfighting.
- g. **Regular Cockfight** – a cockfight held on Sundays and Saturdays.
- h. **Special Cockfight** – a cockfight held on days other than Sundays and Saturdays with special permit.
- i. **Special Permit** – a permit secured from the City Mayor to hold cockfighting on days other than Sundays and legal holidays.
- j. **Bet Manager or Llamador** – a person who alone or with another initiates a cockfight and/or calls and takes care of bets from owners of both gamecocks and other bettors before he orders commencement of the cockfight and thereafter collects and distributes won bets to the winners.
- k. **Bet Taker or Kristo** – a person who calls and takes care of bets among bettors.
- l. **Bettor** – a person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through the “Kristo”.
- m. **Gaffer (taga tari)** – a person who is knowledgeable in the art of arming fighting cocks with gaff/s on either or both legs.
- n. **Referee or Sentenciador** – a person who watches and oversees the progress of the cockfight and decides its result by announcing the winner or declares a draw or no contest.
- o. **Pit Manager** – a person tasked in overseeing the cockfights in the arena.
- p. **Zoning Ordinance** – a local measure which embodies regulations affecting land use.
- q. **Doctor** – one who gives first aid or treatment to wounded cocks.
- r. **Franchise** – a right or privilege affected with public interest which is conferred upon private persons or corporation, under such terms and conditions as the Government and its political subdivision may impose in the interest of public welfare, security and safety.
- s. **Cockfighting via Satellite** – *a cockfight promotion participated in by cockers and breeders in different areas of the country such as Global, World Pitmasters Cup and World Slashers Cup which can be mainstreamed via satellite in cockpits.*

SECTION 4. OWNERSHIP, OPERATION AND MANAGEMENT OF COCKPITS. Only Filipino citizens and bonafide residents of Tuguegarao City and who are not otherwise disqualified to conduct business in the Philippines shall be allowed to establish, operate and maintain a cockpit in Tuguegarao City.

In case of partnerships, corporations or associations, the paid-up capitalization should be 100% Filipino-owned of which 60% of the ownership must be owned by residents of Tuguegarao City and they shall have been formed, organized and established under and by virtue of the laws of the Philippines.

SECTION 5. COCKPIT SITE AND CONSTRUCTION. Cockpits shall be constructed and operated within the appropriate areas as prescribed in the Zoning Ordinance and other applicable Ordinances. No cockpit shall be established, maintained and operated within the radius of 200 linear meters from any existing hospitals, school buildings, churches or other public buildings. Approval or issuance of building permit for the construction, renovation or improvement of cockpits shall be made by the City Building Official in accordance with the provisions of the National Building Code and other existing ordinances, rules and regulations.

SECTION 6. FRANCHISING OF COCKPITS. No cockpit shall be established, operated and maintained without first securing a franchise from the Sangguniang Panlungsod of Tuguegarao City.

SECTION 7. DURATION OF FRANCHISE. The franchise shall be valid for three (3) years and shall be renewable for the same period.

SECTION 8. FRANCHISE REQUIREMENTS. The applicant must submit a verified application to the Sangguniang Panlungsod of Tuguegarao City and the same must be accompanied by the following requirements:

A. New

1. Location and vicinity plan of the cockpit signed by a licensed geodetic engineer;
2. Cockpit building plan/design approved by the City Building Official;
3. Zoning Certification;
4. Certification by the City Building Official or the Zoning Officer that the location/site of the cockpit is beyond the radius of 200 linear meters from any existing hospitals, school buildings, churches or other public buildings;
5. Barangay certificate or any document proving that the applicant is a bonafide resident of Tuguegarao City; and,
6. Certified true copy of land title, tax declaration or any evidence of ownership or legal possession of cockpit and its premises.

B. Renewal

1. Certification by the City Treasurer showing updated payments of taxes, fees and other charges prescribed by existing ordinances;
2. Certification by the Building Official stating that such cockpit is free from material, structural or other physical hazards or defects;
3. Copy of current Business License and Permit;
4. Copy of the legislative franchise to operate issued by the Sangguniang Panlungsod of Tuguegarao City; and,
5. Photos of cockpit and its facilities showing all perspective angles/views.

SECTION 9. BUSINESS LICENSE/PERMIT OF COCKPITS. All cockpits duly franchised by the Sangguniang Panlungsod shall be allowed to operate provided that such cockpit shall first secure a Business License and Permit from the Office of the City Mayor through the Business License and Permit Office. Such license and permit shall be renewed annually and the taxes, fees and other charges thereof paid as prescribed by this Ordinance and other existing ordinances.

An applicant for the issuance of a Business License and Permit shall submit the following requirements:

- a. DTI Registration
- b. BIR Registration
- c. A copy of the legislative franchise granted to the owner/operator
- d. A list of all licensed personnel and copy of their respective licenses
- e. SEC Registration (if it is a corporation)
- f. All other documents required for the issuance of Business License and Permit as prescribed by existing ordinances, rules and regulations

SECTION 10. HOLDING OF COCKFIGHTS.

- a. Cockfights shall be held only in cockpits duly franchised by the Sangguniang Panlungsod of Tuguegarao City and granted a permit to operate by the Office of the City Mayor through the Business Permits and Licensing Office pursuant to the provisions of this Ordinance.
- ✓ b. Regular cockfights shall be held only for once a week during Sundays and Saturdays as authorized by the Sangguniang Panlungsod of Tuguegarao City. Such regular cockfights are deemed included in the Business Permit to operate issued by the Business Permits and Licensing Office and the same may be held without prior consent of the Sangguniang



Panlungsod and the City Mayor. In case a derby is held during a regular cockfighting day, a special permit for the holding of such shall be secured from the Office of the City Mayor and payment of the corresponding fees and charges as provided for in this Ordinance and other existing rules and regulations shall be made.

- c. Barangay Sponsored Cockfights – cockfights may be sponsored by the Barangay subject to the following:
 1. It shall be on the occasion of the Barangay foundation day, anniversary or Barangay Patronal Fiesta Celebration.
 2. It shall be held one week before the Barangay Foundation Day or Fiesta for a period not exceeding three (3) days.
 3. Barangay resolution sponsoring the cockfight should be submitted to the Sangguniang Panlungsod for confirmation or approval sixty (60) days before the scheduled play date.
 4. The proceeds of the cockfights shall accrue to the trust funds of the Barangay which shall be used for specific projects.
- d. Special cockfights – the City Mayor may issue permits for special cockfights, cock or stag derbies including *cockfights via satellite* participated in by cockers and breeders through invitations upon application duly approved by the Sangguniang Panlungsod through a resolution 30-working days before the scheduled playdate.

The authority to hold special cockfights or derbies and Barangay sponsored cockfights should always be covered by a Resolution of the Sangguniang Panlungsod and the Mayor's Permit.

SECTION 11. PROHIBITIONS IN HOLDING COCKFIGHTS. No cockfighting shall be held on the following:

- a. New Year's Day (January 1)
- b. Holy Thursday
- c. Good Friday
- d. Philippine Independence Day (June 12)
- e. Christmas Day (December 25)
- f. Election Day/Referendum or Plebiscite Day
- g. Registration Day on such Election/Referendum Day

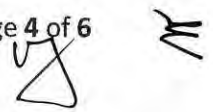
SECTION 12. REGISTRATION OF COCKFIGHTING OFFICIALS. Only duly registered cockfighting officials shall be allowed to officiate in cockfights. The following cockfighting officials are required to register with the Office of the City Mayor before they may be allowed to exercise their profession or work and perform their functions as such officials:

- a. Pit Managers
- b. Referees (Sentenciador)
- c. Bet Takers (Kristo)
- d. Bet Managers (Kasador)
- e. Gaffers (Mananari)
- f. Doctors
- g. Cashiers

A Mayor's Permit which is renewable every year on or before January 20 of the incoming year shall be secured by the said Officials before being allowed to exercise their profession or work. The Permit issued may be revoked by the City Mayor at any time when public interest so demands.

SECTION 13. MISCELLANEOUS PROVISIONS

- a. The operator, owner or licensee shall provide adequate parking areas to its patrons.
- b. The owner, operator or licensee shall provide adequate lighting and ventilation facilities, potable water supply, and shall at all times maintain sanitary facilities of the cockpit premises including food stalls and other business establishments therein, provided that a Mayor's Permit and other fees be first secured from the office of the City Mayor to operate.
- c. The owner, operator or licensee shall have the responsibility to provide security and maintain peace and order within the premises of the cockpit.



- d. No gambling of any kind is allowed in the premises of the cockpit during cockfights.
- e. No minors are allowed inside the cockpit during cockfights.
- f. No firearms or deadly weapons are allowed inside the cockpit.
- g. No intoxicating liquors shall be allowed inside the cockpit during cockfights.

SECTION 14. IMPOSITION OF AMUSEMENT TAX, FEES AND CHARGES

- ✓ A. **Amusement Tax on Admission** – There is hereby levied a tax to be collected from the owners, operators and licensees of cockpit at the rate of ten percent (10%) of the gross receipts from admission fees. (Pursuant to Section 151, Article 3, Chapter 2 Book II of Republic Act No. 7160 or otherwise known as the Local Government Code.) *→ must be read in relation to Sec. 140.*
- B. **Fees and Charges** – The following fees and charges shall be paid to the City Treasurer by the owner/operator/licensee of the cockpit:
 - 1. Franchise Fee – One Hundred Fifty Thousand Pesos (P150,000.00) every three (3) years;
 - 2. Temporary or Provisional Permit Fee – A one-time payment fee of Fifteen Thousand Pesos (P15,000.00) for a period of ninety (90) days; and,
 - 3. **Cockfight via Satellite – Twenty Thousand Pesos (P20,000.00) derby/day**
- C. Business License and other fees and charges shall be collected in accordance with the provisions of the Tuguegarao City Local Revenue Code of 2002.

SECTION 15. ADMINISTRATIVE PROVISIONS FOR TAX ON ADMISSION

Upon payment of the tax due, the owner, operator or licensee of cockpit shall attach a true and complete sworn income return showing the gross receipts from admission fees during the preceding month.

The owner, operator or licensee of a cockpit where payment of a fee is required for admission shall provide for himself with tickets which shall be serially numbered indicating therein the name of the amusement place and the admission price. The serial number must be printed on both ends of tickets such that when divided into two upon being presented for admission, the serial number shall appear on both parts. The gatekeeper shall drop one-half of the torn ticket in a locked box or receptacle and the other half to be returned to the customer. The box or receptacle shall only be opened in the presence of a representative from the Office of the City Treasurer.

All admission tickets which shall be sold to the public must first be registered with the Office of the City Treasurer and shall be stamped with the seal of the said office. It shall be unlawful for any owner, operator or licensee of a cockpit to keep in his possession or have unregistered tickets in the cockpit.

The City Mayor or City Treasurer shall, whenever they deem it necessary for the good of the service, post their duly authorized inspectors at the gates of the cockpit for the purpose of verifying tickets sold thereat.

Said duly authorized inspectors shall have the access to all admission tickets being sold to the public from opening time of the cockpit up to closing time.

SECTION 16. TIME AND MANNER OF PAYMENT. The annual owner/operator’s permit fee and the permit fees of cockfight personnel shall be paid before the cockpit shall be allowed to operate or during the annual renewal thereof on or before January 20 and every year thereafter. The additional permit fees per cockfight shall be paid on the same day that cockfights are held; derby and “pintakasi” fees shall be paid before the cockfights are conducted, provided further that in case of failure to pay on time as prescribed in this Ordinance, a surcharge of 25% shall be imposed. Franchise fee shall be paid on or before the issuance of franchise.

SECTION 17. TRANSITORY PROVISION. All cockpits duly established, maintained and operated prior to the passage of this Ordinance shall comply with all the requirements as provided for therein. Otherwise, failure to do so will result in revocation of franchise and or Business permit to operate a cockpit. A Temporary Permit shall be granted only once for a period of ninety (90) days upon payment of a fee of Fifteen Thousand Pesos (P15,000.00).

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SECTION 18. FINES AND PENALTIES

A. Any operator/owner of cockpits who shall promote, hold or stage cockfights without first securing the permits required under this Ordinance shall be penalized as follows:

- 1. First Offense – a fine of P2,000.00;
- 2. Second Offense – a fine of P3,000.00; and,
- 3. Third and subsequent offense – a fine of P5,000.00 and suspension of Business License and Permit to operate for one (1) year after observance of due process.

B. Any person who shall act or officiate as a cockfighting official without first securing the necessary permits shall be penalized as follows:

- 1. First Offense – a fine of P2,000.00;
- 2. Second Offense – a fine of P3,000.00;
- 3. Third and subsequent Offense – a fine of P5,000.00; and the owner/operator shall be held equally liable for the third and subsequent offense committed and shall be a sufficient ground for the suspension of the Business License and Permit to operate for six (6) months after observance of due process.

C. The owner/operator of cockpits shall be held liable for any violations not specified under this section and shall be a sufficient ground for suspension and/or cancellation of permit to operate after the observance of due process.

SECTION 19. SEPARABILITY CLAUSE. If for any reason, any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall remain and continue to be in full legal force and effect.

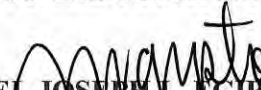
SECTION 20. REPEALING CLAUSE. Any and all resolutions or ordinances or parts thereof not consistent with the provisions of this ordinance are hereby repealed.

All other laws governing cockfighting shall remain applicable and must be construed in harmony with the provisions of this Ordinance.


SECTION 21. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
 Secretary to the Sanggunian *sc*

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
 City Vice Mayor
 Presiding Officer
 Date: 07/31/19

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
 City Mayor
 Date: 07/31/19

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