



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF SIAYAN,
ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 7TH DAY OF NOVEMBER
2022.**

PRESENT:

Hon. Josecor S. Gepolongca, Presiding Officer	Municipal Vice Mayor
Hon. Raul P. Dominise, Presiding Officer Pro-Tempore	Sangguniang Bayan Member
Hon. Daisy A. Limbang, Majority Floor Leader	-do-
Hon. Wilfredo A. Siasico, Asst. Majority Floor Leader	-do-
Hon. Roel J. Fabiran,	-do-
Hon. Rey L. Anugon	-do-
Hon. Wencito B. Intoy,	-do-
Hon. Billynel C. Catig,	-do-
Hon. Estrella S. Zapatos, Minority Floor Leader	-do-
Hon. Maribel C. Okay, LIGA President	-do-
Hon. Phil A. Saraga, SK Fed. President	-do-
Hon. Johnny C. Anugon, Sr. IPMR	-do-

ABSENT:

None

PREFATORY STATEMENT

WHEREAS, subject to the provisions of Book II of RA 7160, otherwise known as the Local Government Code of 1991, under Article Three, Section 447, paragraph 3 conferred the powers of the Sangguniang Bayan, as the legislative body of the Municipality, shall grant franchise, enact ordinance authorizing the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, and pursuant to this legislative authority under sub-paragraph (v) shall:

(v) Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks; provided, that existing rights should not be prejudiced.

WHEREAS, cockfighting has been and still a popular traditional, and customary form of recreation and entertainment among Filipinos during legal holidays, local fiestas, agricultural, commercial, industrial fairs, carnivals or expositions and still one of the major tourist attractions in the Philippines;

From the effectivity of RA 7160 and up to the present, no person or group of persons had granted franchise to establish, maintain and operate cockpit arena in this municipality due to the absence of Ordinance regulating and granting franchise, thereby such cockfighting activities were seemed to be illegal hence this enactment.

BE IT ORDAINED by the Sangguniang Bayan of Siayan, Zamboanga del Norte in session assembled:

"MUNICIPAL ORDINANCE NO. 22-12

Series of 2022

SECTION 1. TITLE. This ordinance shall be known as **"AN ORDINANCE PRESCRIBING THE NORMS IN THE FRANCHISING, ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, REGULATING COCKFIGHTING AND IMPOSING FEES THEREOF IN THE MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE"**.

SECTION 2. SCOPE. This ordinance shall govern the franchising, establishment, operation, maintenance, and ownership of cockpits and the regulation of cockfighting in Siayan, Zamboanga del Norte.

SECTION 3. PURPOSE. It is the declared purpose of this Ordinance to abide by the policy of the government in the promotion of wholesome recreation and amusement to bring about the following goals:

- a) To effectively control and regulate cockfighting towards its establishment as a form of recreation, relaxation, and source of entertainment;
- b) To provide additional revenue or source of income for the municipality;
- c) To provide job/employment in the legitimate operation of cockpit.
- d) To preserve Filipino customs and traditions and thereby enhance our national identity.

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

COCKFIGHTING – Is the sport of pitting or evenly matching gamecocks to engage in an actual fight where bets on either side are laid. Cockfighting may also be termed as "cockfighting derby or pintakasi (hackfight) or tupada" or its equivalent in different Philippine localities.

COCKFIGHT (SOLTADA) – The actual fight or physical combat of two (2) pitted or evenly – matched game cocks, where bets on either side are laid. A "carambola", wherein the actual fight or physical combat is of more than two (2) pitted gamecocks, shall be considered a cockfight.

COCKPIT (SABUNGAN) – The properly enclosed or fenced premises or compound provided with two or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting derby, pintakasi, hackfight or its equivalent term in different Philippine localities.

COCKPIT ARENA – A commercial building at the center of which is an enclosed cockfighting arena and surrounded by seats provided for bettors and other aficionados.

FRANCHISE – a special privilege granted by the Sangguniang Panlungsod (SP) to an individual or group to operate and maintain a cockpit in the City of Tabaco.

REGULAR COCKFIGHT – means a cockfight held on Sundays, legal and special holidays as provided by law.

SPECIAL COCKFIGHT – means a cockfight held on days other than Sundays, legal and special holidays, for special purposes, requiring a special permit.

SPECIAL PERMIT – means a permit secured from the Office of the Municipal Mayor upon the recommendation of the Sangguniang Panlungsod and/or written request of the Barangay Council to hold a cockfighting on days other than Sundays and Legal Holidays and upon resolution of the Sangguniang Bayan authorizing such special cockfighting other than Sundays and legal holidays.

FIGHTING COCK/GAME COCK – Also called rooster, and refers to domesticated fowls, whether imported or locally bred as well as native fighting cocks indigenous to the country especially bred and trained condition for actual cockfighting.

DERBY – refers to any cockfight promotion other than the regular cockfight or to any special cockfighting event of an even bigger scale and participated in by big-time breeders.

LOCAL DERBY – is an invitational cockfight participated in by local game cockers or cockfighting aficionados of the Philippines with "pot money" awarded to the proclaimed winning entry/entries.

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/entries.

PINTAKASI – is a special three-day cockfighting event scheduled usually on weekdays with an intended charitable institution or group as beneficiary.

GAFFER (TAGA-TARI) – A person knowledgeable in the technique of arming fighting cocks with the gaff on either or both legs.

HANDLER (SULTADOR/LARGADOR) – A person who personally takes physical custody and control inside the arena of a pitted game cock and who actually releases the same for actual fight and combat in game fighting.

PROMOTER – a person licensed by the Local Government Unit as such who are engaged in convening, meeting, holding and celebrating of specially programmed or arranged cockfighting like local and international derbies or competitions, special matched set to or encounters, pintakasi, and ordinary fights or hock fights.

BET MANAGER (KASADOR) – a person who calls and takes care of bets from owners of both gamecocks and those of other bettors before he orders the commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.

BET TAKER (KRISTO) – A person who participates in cockfights and with the use of money or other things of value, bets with other 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.

REFEREE (SENTENCIADOR) – A person who watches and oversees the progress of the cockfight and decides its results by announcing the winner or declaring a draw or a no contest game.

GATER – a person who screens and receives admission tickets issued by the cashier to ticket buyer as a condition to gain access inside the cockpit.

COCKER (AFICIONADO) – A person who participates and bets in cockfighting as a sport, amusement, recreation, or form of relaxation.

BETTOR – A person who places bet money on cocks slated for combat.

COCKPIT MANAGER – A person who professionally, regularly, and habitually manages a cockpit and cockfight therein he may or may not be the owner of the cockpit himself.

OWNER/OPERATOR – one who owns the cockpit; the rightful proprietor; a person having the same legal or rightful title and has the exclusive right to hold, use, benefit from, enjoy, convey, transfer and otherwise dispose of the cockpit; an individual who has been granted a franchise or license to operate a cockpit.

COCKFIGHTING PARAMEDIC (PARABULONG) – a person who takes care of and treats wounded gamecocks.

ZONING ORDINANCE – refers to the existing ordinance of the Municipality which logically arranges, prescribes, defines and apportions a given political subdivision into specific land uses as present and future projection of needs warrant.

SECTION 5. OWNERSHIP, OPERATION AND MANAGEMENT OF COCKPIT. – The following persons or entities may own, operate or manage a cockpit:

Filipino citizens not otherwise prohibited by law or by existing ordinances; Corporations, groups of individuals, the capitalization of which is one hundred percent (100%) Filipino-owned and formed/organized and established and licensed for such purpose.

SECTION 6. SITE AND CONSTRUCTION OF COCKPITS. – a) Cockpits shall be constructed and operated within the appropriate areas as prescribed in the zoning laws or ordinance. No cockpit shall be established, maintained and/or operated within the radius of two hundred (200) lineal meters from any existing residential or commercial area, hospitals, school buildings, churches or other public buildings. However, this shall not apply to owners, lessees, or operators of cockpits which are already existing and/or duly licensed prior to the approval of this Ordinance.

b) Approval or issuance of building permits for the construction of cockpits shall be made by the Local Building Official or Municipal Engineer in accordance with existing ordinances, laws and practices.

c) Cockpits may also be established within and/or as adjacent of sports and/or recreational project sites duly recognized and registered with the Philippine Tourism Authority, subject to the limitation of the number of cockpits allowable within the municipality.

SECTION 7. LICENSING OF COCKPITS. – Pursuant to Section 458 of the Local Government Code (RA 7160), an applicant for a license to operate any cockpit within the municipality of Siayan, Zamboanga del Norte shall be required to secure a Franchise from the Sangguniang Bayan.

TERMS AND CONDITIONS:

- a) **The legislative franchise shall be in the form of a resolution** approved by the Sangguniang Bayan and shall have a term of ten (10) years, and renewable for a period of ten (10) years unless terminated by the Sangguniang Bayan for violation of any of the provisions of this ordinance and related regulations. Upon the expiration of the franchise, the cockpit operator shall be allowed to apply for a renewal with the Sanggunian Bayan. Failure to file a Letter of Intent to renew on the prescribed period will pass on the option to other applicants. The franchise/license is a requisite in the issuance of Mayor's Permit to Operate.
- b) It may be granted to one (1) or more individuals interested to operate a cockpit. The franchise granted by the Sangguniang Bayan is non-transferable. As such, the franchisee shall not sell, assign, lease, grant the usufruct of, or transfer the franchise including the rights and privileges acquired thereunder to any person, natural or juridical, firm or other entities without the prior notice and approval of the Sangguniang Bayan.
- c) Existing cockpits in this municipality upon approval of this ordinance shall secure the Franchise defined and required under this ordinance.
- d) The applicant for a franchise or license to operate a cockpit shall submit a letter of application together with the requirements prescribed in this Ordinance to the Office of the Sangguniang Bayan addressed to the Municipal Vice Mayor through the Secretary of the Sangguniang Bayan for evaluation, deliberation and recommendation for confirmation or approval/disapproval by the Sanggunian of the said application.

- e) The Municipal Mayor shall issue a Mayor's Permit for the operation and maintenance of the cockpit after the adoption of the Sanggunian granting the franchise or license to the applicant.

SECTION 8. REQUIREMENTS FOR LICENSING (FRANCHISE) OF COCKPITS. – The following requirements must be complied with before the issuance of licenses:

FOR NEW LICENSE – Every application for new license to operate or maintain a cockpit shall submit to the Sangguniang Bayan, through the Secretary to the Sanggunian, the following requirements which must be fully complied with:

- a) Registration of Business from either the Securities and Exchange Commission (SEC) or Department of Trade and Industry (DTI);
- b) Bureau of Internal Revenue (BIR) Registration;
- c) Proof of Ownership of the Land or Lease Contract if being leased;
- d) Barangay Resolution interposing no objection;
- e) Barangay Clearance;
- f) The names of employees and other persons other than the cockpit personnel doing cockpit business or activity with their designations or positions;
- g) Sanitary/Health permit;
- h) Fire Clearance;
- i) Zoning Clearance and Building or Occupancy permit
- j) Community Tax

FOR RENEWAL – Every application for the renewal of a franchise or license to operate or manage a cockpit shall be submitted to the Sangguniang Bayan through the SB Secretary not later than November 30 of the last year of the effectivity of the franchise granted and shall be accompanied with the following:

- a) Clearances from the Office of the Municipal Treasurer on Payment of Dues;
- b) Audited Financial Statement;
- c) Certification for the Municipal Engineer on the Worthiness of the Structure.
- d) Sanitary/Health Permit
- e) Fire Clearance
- f) Barangay Clearance
- g) Community Tax

SECTION 9. IMPOSITION OF FEES FOR COCKPITS AND COCKPIT PERSONNEL. – There shall be collected the following annual Mayor's Permit Fees from cockpit operators/owners/licensees and from the owner/operator/licensees of the cockpit:

PARTICULAR AMOUNT

FOR THE OWNER/OPERATOR/LICENSEES OF THE COCKPIT:

Application or filing fee	₱ 2,000.00
Annual Mayor's permit	4,000.00
Cockpit franchise fee for ten (10) years	50,000.00

For COCKPIT PERSONNEL:

Promoters/hosts	₱ 2,000.00
cockpit Manager	1,000.00
Referee	600.00
Bet taker/"Kristo"/"Llamador"	400.00
Bet Manager/"Maciador"/"Kasador"	500.00
Gaffer "Mananari"	400.00
Cashier	400.00

Derby Matchmaker	1,000.00
Cockfighting paramedic	500.00

SECTION 10. TIME AND MANNER OF PAYMENT. - The application or filing fee is payable to the Municipal Treasurer upon application for a franchise/license to operate and maintain cockpits.

The annual Mayor's permit fee is also payable upon application for a permit before a cockpit shall be allowed to operate and within the month of January of each year.

The mode of payment of franchise fee for a period of 10 years contract shall be paid in ratio per year following the Mayor's permit to operate for usual accounting and auditing rules and procedures for every fiscal year. Therefore, the amount of 150,000.00 pesos franchise fee shall be divided into 10 years and to be paid annually.

The permit fees on cockpit personnel shall be paid annually before they participate in a cockfight during their birth month from the municipality where such cockfighting is held. Only duly registered and licensed personnel shall take part in all kinds of cockfights held in the municipality of Siayan.

Upon payment of the fees herein imposed, the corresponding Mayor's Permit shall be issued. The mayor's permit must always be in the possession of the licensee/permittee, available for presentation upon demand by inspectors from the Mayor's Office other agencies.

SECTION 11. SPECIAL PERMIT FEE FOR COCKFIGHTING. - There shall be collected the following fees per day for cockfighting:

Kinds of Cockfighting Events	Amount of Fee
Special cockfights (Pintakasi)	₱ 3,000.00
Special Derby Assessment for Promoters:	
Two-cock Derby	1,500.00
Three-cock Derby	2,000.00
Four-cock Derby	3,000.00
Five-cock Derby	5,000.00
International Derby	15,000.00
Fiesta and Araw ng Barangay	1,000.00
Birthday/Balik Bayan	2,000.00

SECTION 12. TIME AND MANNER OF PAYMENT. -The fees imposed in Section 11 of this Ordinance shall be payable to the Municipal Treasurer before the special cockfights and derbies can be lawfully held. Failure to pay the fees imposed herein within the prescribed period shall subject the taxpayer to a surcharge of Ten percent (10%) of the original amount of fees due.

SECTION 13. BUSINESS TAX. - The imposition of the annual fixed tax on cockpits shall be governed by pertinent provisions of the Revenue Code of the Municipality of Siayan. The Annual Fixed Business Tax is payable to the Municipal Treasurer upon application of a permit before a cockpit shall be allowed to operate and within the month of January of each year.

SECTION 14. BOOK OF ACCOUNTS AND RECORDS. - The Cockpit owner, operator, or manager, is required to keep proper book of accounts and records in connection with the operation. The Municipal Treasurer or his/her duly authorized representatives, shall have the authority to inspect within reasonable time said books of accounts and records.

SECTION 15. ADMINISTRATIVE PROVISIONS.

- a) As provided in this Ordinance only one (1) cockpit is allowed in Siayan, Zamboanga del Norte.
- b) The owner of the cockpit shall provide adequate parking space as provided in the Zoning Ordinance.
- c) Holding of cockfights, except as provided in this Ordinance, cockfighting shall be allowed in this municipality only in licensed cockpits in every Sunday of the week, and during local fiestas.
- d) It may also be held during barangay/municipal agricultural, commercial, or industrial fairs, carnival or exposition for a similar period of three (3) days upon resolution of the Sangguniang Barangay/Bayan.
- e) No cockfighting on the occasion of such fair, carnival or exposition shall be allowed within the month of a local fiesta or for more than two (2) occasions a year.
- f) No cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day), Last Monday of August (National Heroes' Day), November 30 (Bonifacio Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.
- g) Letter application of cockpit owner, operator for a special permit, Letter request of the beneficiary to the cockpit owner, operator or licensee to stage special cockfights in particular cockpit;
- h) Cockfighting for entertainment of tourists or for charitable purposes. Holding of cockfights may also be allowed for the entertainment of foreign dignitaries or for tourists, or for returning Filipinos, commonly known as "Balikbayans", or for the support of national fund-raising campaigns for charitable purposes as may be authorized upon resolution of the Sangguniang Bayan, in licensed cockpits or in playgrounds or parks. This privilege shall be extended for only one (1) time, for a period not exceeding three (3) days, within a year.
- i) Cockfighting officials. Gaffers, referees, bet takers, or promoters shall not act as such in any cockfight in the municipality without first securing a license renewable every year on their birth month from the municipality where such cockfighting is held. Only personnel licensed by the municipality shall officiate in all kinds of cockfighting authorized herein.
- j) The duly registered cockpit officials shall use a uniform with their names and position printed in big bold letters at the back and the name of the cockpit in front, they shall also use an Identification Card (ID) which they shall always display in their uniform when officiating.
- k) 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.
- l) It shall be the obligation of the owner, promoter or lessee of a cockpit to inform the Municipal Treasurer's office of the schedule of any special cockfight or derby to be held thereat, at least one (1) week prior to its commencement.
- m) No gambling of any other kind shall be permitted in the premises of the cockpit during cockfights.
- n) Selling and consumption of intoxicating liquor of any kind and illegal drugs are strictly prohibited in the premises of any cockpit, neither shall any firearm or any deadly weapon be permitted to be carried into within the premises thereof except by peace officers in due performance of their official duties.
- o) All commercial breeders of fighting cocks or gamecocks are required to register with the Municipal Agriculturist. The Municipal Agriculturist shall furnish the Municipal Mayor and the Sangguniang Bayan, with a complete record of duly registered commercial breeders.

- p) Aside from the operation of a cockpit, all other business activities inside the premises of the cockpit will have to secure a Mayor's Permit relative to their operations and pay corresponding business taxes and license as required by law.
- q) Minors are not allowed within the premises of the cockpit arena in whatever capacity. The operator, manager or licensee shall be responsible for strict compliance with this rule.
- r) Strictly "No Smoking" on the said public place except in the designated area for smoking aficionados.
- s) Cleanliness must be observed in the cockpit arena and premises at all times. Trash receptacles must be properly placed in the area. Rest rooms must be provided and must be maintained in good and comfortable condition.
- t) All fees and charges herein imposed shall be form part of the Municipal Revenue Code.

SECTION 16. BARANGAY COCK FIGHTING DURING FIESTA OR ARAW NG BARANGAY. Special Permits as defined in this ordinance may be granted by the Municipal Mayor only if there is a resolution coming from the barangay requesting authority to conduct cockfighting during fiesta or araw ng barangay for charitable purposes, entertainment of tourist, local visitors and other cockfighting aficionados, and the Sangguniang Bayan favorably endorsing the same to the Hon. Municipal Mayor to grant or issuance of a **SPECIAL PERMIT** provided, that a temporary cock fighting fence (gallera) be constructed for its safety. Provided further that personnel from the licensed cockpit arena will manage the said activity. Provided furthermore, that the proceeds that may be derived from the event shall accrue to the General Fund of the Barangay concerned. The Barangay Treasurer shall issue the corresponding official receipt for proper accounting and auditing rules of procedures.

SECTION 17. RULES GOVERNING COCKFIGHTING. -The promoter or owner of a licensed cockpit or permit holder shall promulgate house rules on the conduct of cockfighting which shall be clearly made known to all stakeholders in the cockfighting activity, announcing house rules in the cockpit area, posting of house rules in the cockpit premises, or other ways as the management may deem fit, in which case the cockpit "aficionados" shall follow and adhere. Promoters, owners, licensees, shall ensure public order and safety in the conduct of any cockfighting activity.

The said rules shall be consistent with laws, public order, good customs and practices. The same case in the occurrence of pandemic, the rules and regulations of the Inter Agency Task Force (IATF) shall be adopted.

SECTION 18. COMPLAINTS AND PROTEST. - The Sangguniang Bayan shall take cognizance of complaints and protest related to the operation and management of cockpits or the conduct of cockfighting in writing and under oath. The Sanggunian shall prescribe the rules and procedure governing the disposition of such cases.

SECTION 19. PENALTY.

1. Violations by the owner, operator, or franchisee of any provision of this Ordinance shall have the following penalties:

First Offense - Fine of One Thousand Five Hundred Pesos (₱ 1,500.00) plus two (2) week suspension

Second Offense - Fine of Three Thousand Pesos (₱ 2,000.00) plus one (1) month suspension

Third Offense - Five Thousand Pesos (₱ 2,500.00) and revocation of franchise.

2. Violations by any person of the prohibited acts in this ordinance shall have the following penalties:

First Offence – Fine of Five Hundred Pesos (P 500.00)

Second Offence – Fine of One Thousand Five Hundred Pesos (P 1,500.00)

Third Offence – Fine of Thousand Five Hundred Pesos (P 2,500.00) or imprisonment of at least ten (10) days but not more than twenty (20) days or both at the discretion of the court.

Perennial violators after due notice and hearing shall be penalized perpetual disqualification from participating therein.

SECTION 20. APPLICABILITY CLAUSE. – The provision of RA 7160, known as the Local Government Code of 1991, the Presidential Decree 449, otherwise known as the Cockfighting Law of 1974, P.D. 1802 (Creating the Philippine Game Fowl Commission), Municipal Revenue Code and such other pertinent laws shall apply to all matters regarding the operation of cockpit in the Municipality of Siayan, Zamboanga del Norte.

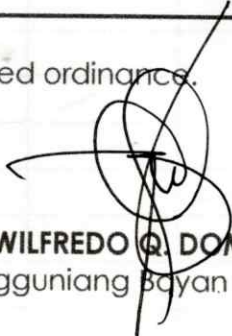
SECTION 21. SEPARABILITY CLAUSE. – If for any reason, any provision, section or part of this Ordinance shall be held to be unconstitutional or invalid, other parts or provision thereof which are not affected shall continue to be in full force and effect.

SECTION 22. 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 23. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon approval and after posting of a copy in conspicuous places in the Municipality and publication in a newspaper of local circulation.

ENACTED this 7th day of November 2022.

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


WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


ATTY. JOSECOR S. GEPOLONGCA
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


ALBERTO J. BONGCAWEL
Municipal Mayor

NOV 14 2022