

CITY ORDINANCE NO. 87

May 27, 1993

EXPLANATORY BOOK

WHEREAS, Republic Act 7160 otherwise known as the Local Government Code of 1991 with specific reference to Section 17 and Article 24 of the Rules and Regulations implementing the Local Government Code mandates the transfer of functions and responsibilities for the delivery of basic services and the related facilities from the National Government (NGAs) concerned to the Local Government Units (LGUs).

WHEREAS, in compliance with the above mentioned section of the Code, A Memorandum of Agreement dated September 15, 1992 duly ratified by the Sangguniang Panlungsod was entered into by the Philippine Gamefowl Commission represented by its Chairman Reynesto G. Panillio and the City of Bacolod represented by Mayor Alfredo L. Mantelibano, Jr. for the devolution of said Commission the regulations and supervision of cockfighting to the City of Bacolod.

Be it ordained by the Sangguniang Panlungsod of the City of Bacolod in session assembled that:

Section 1 - TITLE OF THE ORDINANCE

AN ORDINANCE PROMULGATING THE RULES/REGULATIONS AND PROVIDING FOR THE FEES IN THE LICENSING, CONSTRUCTION, ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPIT AND COCKFIGHTING IN THE CITY OF BACOLOD AND PRESCRIBING THE PENALTIES FOR ITS VIOLATIONS THEREOF.

Section 2 - DEFINITION OF TERMS

For purposes of this Ordinance, the following terms shall be understood in the sense these are defined below:

- a. COCKFIGHTING - Shall embrace and mean the commonly known game or term "Cockfighting, pintakasi, bulang" or its equivalent in different Philippine localities.
- b. COCKPIT - the properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and license in accordance herewith the holding of cockfighting derby, pintakasi, bulang 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 or gamefowls where bets on either side are placed.
- d. DERBY - A Special cockfight event wherein registered cocks are pitted by weights, the Champion of which is determined by the entry garnering the highest number of points.

- e. HACKFIGHTS - the ordinary or actual combat between the two (2) pitted cocks by pairing system.
- f. INTERNATIONAL DERBY - a cockfight promotion with foreign entries.
- g. NATIONAL DERBY - a cockfight promotion with nationwide participants.
- h. REGIONAL DERBY - a cockfight promotion with participants from particular region.
- i. REGULAR COCKFIGHT - a cockfight held on Sundays and/or legal holidays.
- j. SPECIAL COCKFIGHT - a cockfight held on days other than Sundays and legal holidays and for special purposes.
- k. SPECIAL PERMIT - a permit secured from the Sangguniang Panlungsod to hold a cockfighting on days other than Sundays and legal holidays.
- l. MANAGEMENT - the cockfight operator/owner/licensee or any individual, corporation or group concerned in running the operation of the cockpits.
- m. PROMOTER - an individual, group or association engaged in holding a specially programmed and arranged cockfighting like local or international derbies or competitions or encounter, pintakasi and other fights or backfights.
- n. GAMEFOWLS/GAMECOCKS - 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 for propagation and breeding purposes for eventual use in cockfighting.
- o. ENTRY - refers to a registered participant in a derby event prescribed by the promoter/management.
- p. PARADA - (Center bet) refers to the amount bet placed on a cock with the management.

### Section 3 - OWNERSHIP, OPERATION, AND MANAGEMENT OF COCKPITS

The following persons or entities may own, operate or manage a cockpit in the City of Bacolod.

- a. Filipino citizen not otherwise inhibited by law.
- b. Cooperatives or corporation the capitalization of which is 70% per cent Filipino owned and formed, organized or established and licensed for such purpose.

### Section 4 - NUMBER OF COCKPITS ALLOWED

Including the existing cockpit 4 cockpits may be established, maintained or operated in the City of Bacolod.

Section 5 - SITE AND CONSTRUCTION OF COCKPITS

- a. Cockpits shall be constructed and operated within areas prescribed by the Zoning Ordinance.
- b. No new cockpits shall be established, maintained and/or operated within a radius of two hundred (200) lineal meters from any existing residential or commercial areas, hospitals, school buildings, churches or other public buildings.
- c. Cockpits may be established within and/or adjunct of resorts sports and/or recreation project sites duly recognized and registered with the Philippine Tourism Authority subject to the limitation of the number of cockpits allowable in this ordinance.
- d. Approval or issuance of building permit for the construction of cockpits shall be made by the City Engineer in accordance with the National Building Code ordinances established rules and regulations.

Section 6 - PLACE AND TIME OF HOLDING COCKFIGHTING

- a. Cockfights shall be held only in licensed cockpits:
- b. For regular fights, during Sundays and legal holidays except on the following days when no cockfighting shall be held:
  1. Holy Thursday
  2. Good Friday
  3. Philippine Independence Day (June 12)
  4. National Heroes Day
  5. Bonifacio Day
  6. Rizal Day
  7. Election/Referendum Day
  8. Registration on such election/referendum day

Section 7 - OTHER GAMBLING GAMES PROHIBITED

No gambling of any kind shall be permitted in the premises of the cockpit. The owner, manager licensees or lessee of such cockpit and the violators of this prohibition shall be criminally liable under Presidential Decree No. 1062 (Prescribing stiffer penalties on Illegal Gambling).

Section 8 - PROHIBITION AGAINST PERSONS

No persons less than fifteen (15) years of age shall be allowed inside the premises of the cockpit during cockfights. The operator, manager or licensee shall be responsible for the strict compliance of this rule.

Section 9 - FINANCIAL STATEMENTS OF PROCEEDS FROM COCKFIGHTS FOR  
CHARITABLE PURPOSES

In cockfights for the support of fund raising campaign for charitable purposes, the owner, operator, or licensee shall enter in a daily financial report the following:

- a. receipt from gate or entrance and ringside tickets and
- b. total commission (plazada) for the day.

At the close of the cockfighting activities the owner, operator, or licensee of the cockpit shall turn over to the authorized representative of the recipient charitable beneficiary the amount of equivalent to not less than 70% of the total receipts together with the financial summary thereof. The owner, or licensee of cockfight shall submit within ten (10) days to the City Treasurer's Office copies of the daily financial report and the financial summary thereof.

- c. The City may issue special permits for special cockfights upon resolution of the Sangguniang Panlungsod:
  1. For not more than three (3) consecutive days
  2. For the entertainment of foreign dignitaries or for tourists or for returning Filipino communities or balikbayans.
  3. For the support of fund raising campaign for charitable purposes as may be authorized by the Office of the President of the Republic of the Philippines or those authorized law.

Section 10 - LICENSING OF COCKPITS

The City Mayor with the concurrence of the Sangguniang Panlungsod shall issue the license to operate cockpits.

Section 11 - REQUIREMENTS IN THE LICENSING OF COCKPITS

The following requirements must be fully complied with before the issuance of license:

- a. New license- applications for license to operate or maintain a cockpit shall be submitted to the City Mayor with the following documents:
  1. The cockpit building plan design as approved by the City Engineer's Office.
  2. The location and vicinity plan;
  3. Certification of the City Planning and Development Office in accordance with Section 5 subsections a and b of the ordinance.

4. Official receipts showing payments of taxes, fees and other levies prescribed by this ordinance and

5. A City Health Certificate

b. Annual renewal - every applicant for the renewal of licenses to operate or manage a cockpit shall submit to the Office of the Mayor not later than Jan. 20 the following:

1. Official receipts showing payments of taxes, fees and other levies prescribed by this ordinance, and
2. In case the cockpit was constructed more than ten (10) years before the date of renewal of application, a certification from the City Engineer's Office to the effect that such cockpit is free from material and structural or other physical hazards or defects.

Section 12 - PERMITS REQUIRED FOR SPECIAL COCKFIGHTS

a. No special cockfights shall be allowed unless authorized by a resolution from the Sangguniang Panlungsod.

b. Every application for a special permit shall be signed by the owner/operator or licensee of the cockpit where such special fights are to be held and countersigned by the promoter of a representative of the beneficiary to be supported with the necessary documents as follows:

1. A copy of the Presidential Proclamation authorizing the fund raising campaign, and
2. A board resolution or letter of request of the beneficiary to the cockpit owner operator or licensee to stage special cockfights in a particular cockpit.

Section 13 - FEES

Without prejudice to the taxes, fees and other levies imposed under the National Revenue Code of the Philippines, the following fees shall be paid to the City of Bacolod:

1. Application fee - - - - -	P 25.00
2. Annual Registration of Cockpits - - - - -	750.00
3. International Derby - - - - -	5,000.00
4. Special Cockfights - - - - -	1,000.00
5. Promoter Fees of each derby:	
5.1) 2 Cock derby - - - - -	250.00
5.2) 3 Cock derby - - - - -	500.00
5.3) 4 Cock derby - - - - -	750.00
5.4) 5 Cock derby - - - - -	1,000.00

6. Special Derby Assessment:

- 6.1) Derbies with winning bet of  
less than P2,000.00 - - - - - P 25.00
- 6.2) Derbies with winning bet of  
P2,000.00 but less than of  
P4,000.00 - - - - - 50.00
- 6.3) Derbies with winning bet of  
P4,000.00 and above - - - - - 100.00

7. Soltada Fee (Plazada) - 10% from the total winnings from  
parada as defined in Section 2 sub-paragraph of this  
ordinance.

Section 14 - PENAL CLAUSE

Violation of this Ordinance shall, upon conviction, be penalized  
with a fine of FIVE HUNDRED (P500.00) nor more than TWO THOUSAND PESOS  
(P2,000.00) or imprisonment of six (6) months or both at the discretion  
of the court and to suffer imprisonment in case of insolvency as may be  
allowed by law.

Section 15 - SEPARABILITY CLAUSE

If any of this ordinance is declared null and void the other part  
not so declared shall remain valid and enforceable.

Section 16 - EFFECTIVITY

This ordinance shall take effect upon approval.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors: Rencito S. Novero, Wilmar I. Drilon, Rolando V.  
Villasor, Lorendo K. Dilag, Juanito S. Asihan, Jr.,  
Joaquin L. Torre, Napoleon A. Cordova, Constancio  
G. Legaspi, Luzviminda S. Valdez, Inocencio V.  
Ferrer, Jr., Jovito H. Seyson, Mario V. Salazar,  
Jr.

Negative : N o n e  
Absent : Councilor Arturo V. Parreño.  
Passed : May 27, 1993.  
Comments : P a s s e d .

ATTESTED:

ATTY. NILD T. ALEJANDRINO  
Secretary to the Sanggunian

APPROVED: June 16, 1993.

ALFREDO G. JALORBA, JR.  
Floor Leader  
Acting Presiding Officer

ALFREDO L. MONTELIBANO, JR.  
City Mayor