



Republic of the Philippines
Province of Bohol
MUNICIPALITY OF LOON

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 82ND REGULAR SESSION OF THE 8TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 27TH DAY OF JANUARY, 2003 AT THE SANGGUNIANG BAYAN SESSION HALL-

PRESENT : Hon. Raul P. Barbarona, Vice Mayor, Presiding Officer
Hon. Clovis L. Nazareno, SB Member
Hon. Fortunato N. Garay, SB Member
Hon. Cesar R. Pedrigal, SB Member
Hon. Zenon R. Perez, SB Member
Hon. Titus Clark U. Miranda, SB Member
Hon. Hermenegildo M. California, SB Member
Hon. Leticia M. Maratas, SB Member
Hon. Edwin R. Ladeza, LnB President, Ex-Officio Member
Hon. Allan Rey M. Palban, SKMF President, Ex-Officio Member

ABSENT : Hon. Nicolas M. Labastilla, SB Member

MUNICIPAL ORDINANCE NO. 03-001
Series of 2003

AN ORDINANCE REGULATING THE COCKFIGHTING OPERATIONS OF THE MUNICIPALITY OF LOON, BOHOL, OTHERWISE KNOWN AS THE COCKFIGHTING ORDINANCE OF LOON-

(Author: Honorable Cesar R. Pedrigal)

Be it ordained by the 8th Sangguniang Bayan of the Municipality of Loon, Bohol, that:

Article A. Short Title and Scope.

SECTION 1. Short title – This ordinance shall be known as An Ordinance regulating the cockfighting operations of Loon, Bohol, otherwise known as the Cockfighting Ordinance of Loon.

SECTION 2. Scope and Application – This Ordinance shall govern the rules and regulations on the establishment, construction, operation and management of cockpits and the levy, assessment, collection of taxes and other impositions upon the same, as well as on the conduct of cockfights, in the Municipality of Loon, Bohol.

Article B. Definition of Terms

SECTION 3. Definition – When used in this Ordinance:

- a) Cockpit – includes any place, compound, building or portion thereof, where cockfights are held, whether or not money bets are made on the results of

such cockfights. It also refers to “sabungan” or “bulangan” two local terms for cockpit, which may consist of an enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and duly licensed in accordance herewith for the holding of regular cockfights, cockfighting derby, pintakasi, tupada, or its equivalent terms in different Philippine localities.

- b) Bet taker or promoter – is a person who calls and takes care of bets from owners of both gamecocks and those of other bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- c) Gaffer (Mananari) – is a person who is knowledgeable in the technique or art of arming fighting cocks with gaff or gaffs on either or both legs.
- d) Referee – (Sentenciador/Koyme) – refers to a person who watches and oversees the proper gaffing of fighting cocks; determines the physical condition of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and makes known his decision by word or gesture the result of the cockfight by announcing the winner or declaring a draw or no-contest game.
- e) Cockfighting – is the sport pitting or evenly matching gamecocks to engage in actual fight or physical combat where bets on either side are laid. Cockfighting may also be termed as “cockfighting derby,” “pitakasi” or “tupada”, or its equivalent in different Philippine localities.
- f) Local derby – is an invitational cockfight participated in by game cockers or cockfighting aficionados in the Philippines with pot money awarded to the proclaimed winning entry.
- g) Regional derby – means a cockfighting promotion with participation from a particular region.
- h) National derby – means a cockfighting promotion with nationwide participation.
- i) International derby – refers to the invitational cockfights participated in by local and foreign game cockers or cockfighting aficionados with pot money awarded to the proclaimed winning entry.
- j) Gamecock – refers to domesticated fowls, whether imported or locally bred, as well as the native fighting cocks indigenous to the country, specially bred, trained or conditioned for actual fighting or for propagation and breeding purposes for eventual use in cockfighting.
- k) Handler – locally known as “soltador”, is a person who personally 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.
- l) Bet manager (Masiador/Kasador) – is a person who announces the difference of the money bet and offers the same to whoever is interested to bet against the difference.

- m) Regular cockfight – means a cockfight held in a duly-licensed cockpit on Sundays and/or other days authorized under the law.
- n) Special cockfight – means a cockfight held under a special permit issued by the Mayor upon authority of the Sangguniang Bayan and held on days other than Sundays and other days allowed under the law.
- o) Cocker – locally known as “aficionado,” is a person who participates and bets in cockfighting as a sport, amusement, recreation or form of relaxation.
- p) Bettor – is a person who participates in cockfights and with the use of money or other things of value, bets with other bettors or through the bet taker or promoter and wins or loses his bet depending upon the result of the cockfight as announced by the referee or sentenciador. He may be the owner of the fighting cock.
- q) Cashier (Tenedor) – is a person to whom money bets of both owners of gamecocks in a certain match are deposited, and then withdrawn after the decision of a certain match is made final by the referee.
- r) Municipality – is the Municipality of Loon, Bohol.

Article C. Rules and Regulations on Cockpits and Cockfights

SECTION 4. Establishment, Operation and Maintenance of Cockpits – The following persons or entities may establish, own operate, maintain and manage cockpits in the Municipality, Provided, That existing rights should not be prejudiced:

- a) Filipino citizens not otherwise prohibited by law ordinance; and
- b) Cooperatives or corporations, the capitalization of which is one hundred percent (100%) Filipino-owned.

SECTION 5. Administrative Provisions.

- 5.1 Number of cockpits allowed – Only one (1) cockpit shall be allowed to be established and operated in the Municipality; Provided, however, That in case the population of the town would increase to more than one hundred thousand (100,000) inhabitants, two cockpits may be established, operated and maintained. The distance of the cockpit shall be five (5) kilometers away from the existing cockpit.
- 5.2 Site and construction of cockpits – Cockpits shall be constructed and operated within the appropriate areas as prescribed in the existing municipal zoning ordinance, Provided, no cockpit shall be established, operated and/or maintained within a radius of five hundred (500) meters from any existing residential or commercial area, hospitals, school buildings, churches or other public buildings. Cockpits may also be established within and/or as an adjunct of resorts and sports stadiums, subject to the limitation of the number of cockpits allowable within the Municipality.
- 5.3 Licensing of cockpits – Subject to the rules and regulations herein prescribed, the municipal mayor, with the concurrence of the Sangguniang Bayan, may issue a license to establish and/operate and maintain a cockpit in the Municipality.

- 5.4 Conduct of public bidding; its frequency – The Municipality shall hold and conduct a public bidding every twenty-five (25) years to determine who should be granted the license to establish, operate and maintain a cockpit in this town. For subsequent operations, the public bidding shall be conducted within the last quarter of the 25th year and every 25 years thereafter.
- 5.5 Authority to promulgate public bidding rules and regulations – The Sangguniang Bayan reserves the authority to promulgate rules and regulations in the conduct of the public bidding.
- 5.6 Amount of the starting bid; non-refundable entry fee – The amount of the starting bid shall be one hundred thousand pesos (P100,000.00). The full amount of the winning bid shall be paid in cash to the office of the municipal treasurer. The participating bidder shall include a non-refundable entry fee of three hundred pesos (P300.00) cash in bid envelope.
- 5.7 Authority to conduct a negotiated bid in case of failed bid – The Sangguniang Bayan may authorize the bidding committee through a resolution to enter into a negotiated bid in case of failure of bidding; Provided, that the negotiated bid shall not be less than the starting bid of one hundred thousand pesos (P100,000.00); Provided Further, that payment shall be full and in cash; Provided Finally, that the bidder shall pay the non-refundable entry fee of P300.00.
- 5.8 Period of validity of license – The license issued shall be valid for a period of twenty-five (25) years from its date of issue.
- 5.9 Annual Mayor's Permit – The cockpit operator, notwithstanding his possession of a license to operate, shall secure every year a mayor's permit from the office of the mayor and pay the fee prescribed therefore.
- 5.10 Requirements for the licensing of cockpits – The following requirements must be fully complied with before the issuance of a license to establish and/or operate and maintain a cockpit:
 - (1) New License – Every application for a new license to establish and/or operate and maintain a new cockpit shall be subject to the submission of the following requirements:
 - Proof of being awarded the winning bid earned in a public bidding conducted earlier by the Municipality.
 - Location and vicinity plan of the cockpit.
 - The cockpit building plan/design as approved by the municipal engineer, and a certification by him to the effect that the cockpit is to be constructed in accordance with such approved plan/design in the area allowed under the zoning ordinance.
 - A certification of the municipal engineer to the effect that location/site of the cockpit is not within the reglamentary radius of five hundred (500) meters from any existing residential or commercial area, hospitals, school buildings, churches and other public buildings.
 - Required fees and other levies prescribed in the existing approved revenue code.
 - Health certificate.
 - (2) Annual renewal – Every application for the annual renewal of a mayor's permit to operate and maintain a cockpit shall be submitted to the municipal mayor not later than December 31 of each year, and shall be accompanied with the following:

- Official receipts showing payment of municipal taxes, fees and other levies as prescribed in the existing approved revenue code; and
- In case the cockpit was constructed more than ten (10) years before the date of renewal of the application, a certificate of the municipal engineer to the effect that the cockpit is free from material, structural or physical hazards.

5.11 Creation of a bidding committee – A bidding committee is hereby created to be composed of the following:

- 1) The Municipal Mayor, as Chairman;
- 2) The MPDC, Member;
- 3) The Municipal Engineer, Member
- 4) The Chairman, SB Committee on Games and Amusements, Member;
- 5) Chairman, SB Committee on Public Works and Utilities, Member;
- 6) The Municipal Treasurer, Member;
- 7) The Municipal Assessor, Member;
- 8) The Chief of Police, Member.

5.12 Registration of cockpits – No cockpit shall be allowed to operate in the municipality without the proper registration certificate which shall be issued annually by the mayor and secured by the applicant not later than January 20 of each year.

In order to secure the registration certificate, the applicant shall submit the following documents:

- 1) An applicant stating therein the name of the cockpit, the name of the operator/manager, including their partners and/or stockholders and the mailing address of the above-named persons;
- 2) A copy of the location and vicinity plan of the cockpit;
- 3) A copy of the cockpit building plan;
- 4) A certified copy of the municipal license;
- 5) A copy of the health certificate;
- 6) A copy of the mayor's permit;
- 7) Two (2) perspective photographs of the cockpit; and
- 8) A list of all duly-licensed personnel and copies of their respective licenses.

5.13 Cockfighting officials – The following cockfighting officials are required to register with the Municipality.

Bet manager (masiador, kasador), bet taker (bilog), gaffer (mananari), bet manager, promoters/hosts, cashier (tenedor, monton), derby matchmaker, referee (sentenciador).

The above-named cockfighting officials shall not officiate as such in any cockpit herein authorized without first securing an annual certificate of registration from the municipal government. The mayor may revoke such registration certificate together with the corresponding license.

5.14 Place and time of holding cockfights –

- 1) Regular cockfights shall be held in licensed cockpits only.
- 2) Special cockfights may be held outside of licensed cockpits, like for example, a gymnasium or cultural center, playgrounds or parks upon a resolution of the Sangguniang Bayan for entertainment of foreign dignitaries, tourists, balikbayans, or for charitable fund raising campaigns, provided, this privilege shall be extended for only 1 time for a period not exceeding 3 days.
- 3) Regular cockfights shall be held on Sundays and legal holidays and during local fiestas for not more than 3 days, provided, no cockfighting shall be held on the following days:
 - Holy Thursday
 - Good Friday
 - Philippine Independence Day – June 12
 - All Saints Day – November 1
 - National Heroes Day – November 30
 - Election/Referendum Day
 - Registration day for such election/referendum;
 - Rizal Day – December 30; and
 - On the occasion of the holding of agricultural, commercial or industrial fair, carnival or exposition within the week of the municipal fiesta.

5.15 Permit required for special cockfights –

- 1) No special cockfights shall be allowed unless authorized by the Sangguniang Bayan and a special permit duly issued by the Mayor.
- 2) Application for such permit shall be filed with the office of the mayor at least fifteen (15) days before the event.
- 3) Every application for such permit shall be signed by the owner/operator or license of the cockpit where such special cockfights are to be held, and countersigned by the promoter or a representative of the beneficiary, to be supported with the necessary documents as follows:
 - A copy of the proclamation authorizing the fund raising campaign;
 - A letter request of the beneficiary to the cockpit owner, operator or license to stage special cockfights in the said cockpit; and
 - Recommendation, endorsement, or referral by the municipal mayor, to the municipal council, with the resolution of concurrence of the municipal council.
- 4) No international cockpit derby shall be held without a permit or license from the Sangguniang Bayan. The Sangguniang Bayan may authorize the promotion of not more than ten (10) international derbies every year in support of national fund raising campaigns as may be authorized by the office of the president, upon application of duly qualified promoters and countersigned by the owner/operator or licensee of the cockpit. Such application shall be filed at least sixty (60) days before the scheduled international cockfight derby.

5.16 Complaints and protests – The Sangguniang bayan shall take cognizance of complaints and protests related to the operation and management of cockpits or the conduct of cockfighting; violations of P.D. No. 1602; and of

these rules and regulations, which complaints or protest must be in writing and under oath. The Sangguniang Bayan shall prescribe the rules and procedures governing the disposition of such cases.

- 5.17 Other gambling games prohibited – No other gambling of any kind shall be permitted in the premises of the cockpit during cockfights, or at any other time. The owner, manager, licensee or lessee of such cockpit and the violators of this injunction shall be criminally liable under the provisions of Section 8, Presidential Decree No. 449, and Presidential Decree No. 1802.
- 5.18 Prohibition against minors – No person less than eighteen (18) years of age shall be allowed inside the premises of the cockpit for whatever reason during cockfights. The operator, manager, or licensee of the cockpit shall be responsible for the strict compliance of this rule.
- 5.19 Anti-fraud measures – Consonant with the Filipino trait of honesty and tradition of fair play, the Sangguniang bayan shall adopt measures as to obviate the use of fraudulent means or manipulations in all aspects of cockfighting. Persons caught employing fraudulent means or manipulations in all aspects of cockfighting shall be meted a penalty in accordance with the penal clause herein prescribed and other applicable laws as the circumstances may warrant.
- 5.20 Books of account and records – All cockpits shall be required to keep the proper books of account and records in connection with their operation. The office of the municipal treasurer or its duly authorized representative shall have the power to inspect at all times said books of account and records.
- 5.21 Financial statement of proceeds from cockfights for charitable purposes – For cockfights in support of national fund raising campaigns and for charitable purposes, the owner, operator or licensee shall enter in a daily financial report the receipts from gate or entrance and ringside tickets and the total commission (plazada) of the day.
- 5.22 Turnover of amount to recipient beneficiary – At the close of the cockfights for charitable purposes, the owner, operator or licensee of the cockpit or the promoter shall turn over to the authorized representative of the recipient charitable beneficiary the amount equivalent to seventy percent (70%) of the total proceeds, together with the financial summary thereof.
- 5.23 Submission of annual financial report – The owner, operator or licensee of the cockpit shall submit within ten (10) days after the New Year to the office of the municipal treasurer or its authorized representative copies of the annual financial report and the financial summary thereof.

SECTION 6. PENALTY – Any person who violates the provisions of this Article shall be punished by a fine of not less than One Thousand Pesos (P1,000.00), but not more than Two Thousand Five Hundred Pesos (P2,500.00), or an imprisonment of not less than Thirty (3) days, but not more than Six (6) months, or both fine and imprisonment, at the discretion of the court.

Article D. Tax Levy

- A. Permit Fee for Cockpit Owners/Operators/Licenses and Cockpit Personnel

SECTION 7. Imposition of fees – There shall be collected the following fees from cockpit owners/operators/licensees:

1. On cockpit operators/owners/licensees:
 - a) Application/filing fee - P 300.00
 - b) Annual cockpit permit fee - 5,000.00

2. On cockpit personnel:
 - a) Promoters/Hosts - 500.00
 - b) Cashier (Tenedor) - 200.00
 - c) Bet Manager (Maciador/Kasador) - 200.00
 - d) Derby Match Maker - 200.00
 - e) Bet Taker (Bilog) - 100.00
 - f) Gaffer (Mananari) - 100.00
 - g) Referee (Sentenciador/Koyme) - 200.00
 - h) Medical Aid - 100.00

SECTION 8. Time of Payment – The application/filing fee shall be non-refundable and is payable to the office of the municipal treasurer upon application for a permit to operate and maintain a cockpit. All other fees are also payable to the Office of the municipal treasurer not later than the twentieth day of January of each year.

SECTION 9. Surcharge for late payment – Failure to pay the prescribed fee in this Article within the time required shall subject the taxpayer to a surcharge of twenty five percent (25%) of the original amount of the fee due, such surcharge to be paid at the same time and in the same manner as the fee due.

B. Permit Fee for Cockfighting

SECTION 10. Imposition of fees – There shall be collected the following fees for cockfighting held in the Municipality, as follows:

- a) Permit fee on soltadas, per cockfight:
 - i) 2% of the net winning bet or at a minimum of P10.00 for ordinary Sundays, holidays, fiesta popular, local invitational derby, and special cockfighting day.

- b) Permit fee on cockfighting held on days other than Sundays and holidays:
 - i) Special Cockfights (Pintaksi), per day -P 500.00
 - ii) Special Derby Assessment:
In Derbies with winning bet less than P5,000.00 - 500.00
 - iii) Special derby with winning bet of more than P5,000.00 - 1,000.00

SECTION 11. Time of Payment – The fees herein imposed shall be payable to the office to the municipal treasurer before special cockfights and derbies can be lawfully held.

SECTION 12. Surcharge for late payment – The owners/lessees, operators/licensees who fail to pay the fees prescribed in this Article within the period required shall be subject to a surcharge of twenty-five percent (25%) of the original amount due, such surcharge to be paid at the same time and in the same manner as the fee due.

Article E. Miscellaneous Provision

SECTION 13. Publication of the Ordinance – Within ten (10) days after its approval, a certified copy of this Ordinance shall be published for three (3) consecutive issues in a newspaper of local circulation, in compliance with the mandate of the pertinent provision of R.A. No. 7160, otherwise known as the Local Government Code of 1991.

Article F. General Penal Provision

SECTION 14. Penalty – any violation of this Ordinance not herein otherwise covered by a specific penalty, or of the rules and regulations promulgated under authority of this Ordinance, shall be punished by a fine of not less than One Thousand Five Hundred Pesos (P1,500.00), nor more than Two Thousand Five Hundred Pesos (2,500.00), or imprisonment of not less than One (1) month nor more than Six (6) months, or both fine and imprisonment at the discretion of the Court.

Article G. Final Provisions

SECTION 15. Repealing Clause – All ordinances, rules and regulations, or parts thereof, in conflict with or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 16. Effectivity – This Ordinance shall take effect immediately from approval.

“APPROVED UNANIMOUSLY.”

I hereby certify to the correctness of the above-quoted Municipal Ordinance.

ATTY. RAUL P. BARBARONA
Vice Mayor
(Presiding Officer)

A T T E S T E D:

FIDELINO P. CORITICO
Secretary to the Sanggunian

A P P R O V E D:

CESAR TOMAS M. LOPEZ, M.D.
Municipal Mayor

Date Approved: _____