



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT TAKEN FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON APRIL 15, 2011.

PRESENT: HON. CESAR C. MANZANO, Ret. Col. (PAF) - CITY VICE MAYOR/PRESIDING OFFICER
Hon. Oscar A. Boling, C.E. - Presiding Officer Pro-Tempore
Hon. Carolyn D. Sison - Majority Floor Leader
Hon. Joseph T. Bacay - Minority Floor Leader
Hon. Earl James C. Aquino - Member
Hon. Joselito O. Fontelera - -do-
Hon. Margielou Orange D. Humilde - -do-
Hon. Constante R. Carasi, M.D. - -do-
Hon. Filemon R. Bacala, Jr. - -do-
Hon. Emerlina B. Ravarra, LBP - Ex-Officio Member
ABSENT: Hon. Rufina J. Gabriel - On Official Business
Hon. Rany S. De Leon - On Official Business
Hon. Moriah Diorella V. Ranoy, SKP - On Sick Leave

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ORDINANCE NO. 2011-03

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS AND REGULATING COCKFIGHTING IN THE CITY OF ALAMINOS.

EXPLANATORY NOTE

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

WHEREAS, pursuant to sec. 458 (3) (v) of the local government code of 1991, it empowers the Sangguniang Panlungsod, as the legislative body of the city, to enact ordinance authorizing the issuance of licenses or permits for the establishment, operation, and maintenance of cockpits and regulating cockfighting;

NOW, THEREFORE, on motion of City Councilor *Earl James C. Aquino* and duly seconded by *Councilor Joselito O. Fontelera*

Be it ordained by the Sangguniang Panlungsod of Alaminos City in Regular Session assembled, that:

ARTICLE I

TITLE

This ordinance shall be known as "*The Cockpit Ordinance of Alaminos City*"

ARTICLE II

SCOPE

This ordinance shall govern and regulate the establishment, operation, maintenance and ownership of cockpit in the city of Alaminos.

ARTICLE III

DEFINITION OF TERMS

As used in this ordinance, the following terms shall be understood, applied and construed as follows:

- a. **Cockfighting** – shall embrace the commonly known game or term "cockfighting, derby, pintakasi, or tupada", or its equivalent in different Philippine localities.

- b. **Cockpit** – the properly enclosed or fenced premises or compound with one or more gates or doors for definite points of entrance and exit and license in accordance herewith for the holding of cockfighting derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- c. **Zoning Ordinance** – refers to the existing ordinance of the City of Alaminos, Pangasinan which logically arranges, prescribes, defines and apportions a given political subdivision into specific land uses as present and future projection of needs warrant.
- d. **Cockfight** (Soltada) – refers to the actual fight or physical combat of two (2) gamecocks, where between or either side are laid
- e. **Regular Cockfight** – means a cockfight held on Sundays and/or Legal Holidays and for special purposes.
- f. **Derby** - Refers to any cockfight promotion other than the regular cockfight, participated by foreign or local entries.
- g. **Special Cockfight** – means a cockfight held on days other than Sundays and legal holidays and for special purposes.
- h. **Special Permit** – means a permit secured from the Sangguniang Panlungsod (SP) to hold cockfighting on days other than Sundays and legal holidays.
- i. **Pit Manager** – a person who professionally or regularly manages a cockpit and cockfights therein. He may or may not be the owner of the cockpit.
- j. **Referee** (Sentenciador) – 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 decide and make known his decision by sign or gestures and result of the cockfight by announcing the winner or declaring a tie or no contest game.
- k. **Promoter** – a person licensed by the City as such, who is engaged in the convening, meeting, holding and the celebration of especially programmed and arranged cockfighting like local and international derbies or competition, special matched set to or encounters, pintakasi and ordinary fights or hock fights.
- l. **Bet Taker** (Kristo) – a person who calls and takes care of bets from owners of both gamecocks and those of the bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission.
- m. **Gaffer** (Taga-tari) – a person knowledgeable in the art of arming fighting cocks with gaffs on their both legs.
- n. **Gater** – as use in this ordinance shall mean, persons who screen and receive admission-ticket issued by the cashier to ticket buyer as a condition to gain access inside the cockpit.
- o. **Gamecock** – refers to domesticated fowls, whether imported or locally bred, as well as the native fighting cocks indigenous to the country, trained and conditioned for actual fighting or for propagation and breeding purposes for eventual use in cockfighting.

ARTICLE IV

OWNERSHIP, OPERATION & MANAGEMENT OF COCKPIT

The following may own, operate or manage a cockpit:

- a. Filipino Citizens not otherwise disqualified by law.

- b. Cooperative or corporation, the capital of which is 100% Filipino owned.

ARTICLE V

LICENSING OF COCKPITS

Upon prior application made, the Sangguniang Panlungsod through an ordinance may authorize and license the establishment, operation and maintenance of cockpit to qualified applicants.

ARTICLE VI

REQUIREMENTS FOR LICENSING OF COCKPITS

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

- a. **New License** – Every applicant for new license shall submit to the Sangguniang Panlungsod, through the SP Secretary, the following requirements which must be fully complied with before the issuance of license.
1. The location and vicinity plan of the cockpit;
 2. The cockpit building plan/design duly approved by the City Building Official and a certification that the applicant had complied with the area prescribed under the city zoning ordinance;
 3. A certification by the Zoning Officer that the location/site of the cockpit is not within the radius of 200 lineal meters from existing residential or commercial area, hospitals, schools, buildings, churches, or other public buildings;
 4. Official Receipts for payments of city taxes, fees and other levies prescribed by law or city ordinance of Alaminos City;
 5. The names of employees and other persons other than cockpit personnel doing cockpit business or activity with their designations or positions, or any persons doing business inside the cockpit including store owners or vendors;
 6. The permanent schedule of regular cockfights desired.
 7. Health/Sanitary Permit.
- b. **Annual Renewal** – Every applicant for the annual renewal of license to operate or manage a cockpit shall submit to the Sangguniang Panlungsod not later than December 31 of each year and shall be accompanied with:
1. Official Receipt (O.R.) of taxes, fees and other levies prescribed by law or pertinent city ordinance;
 2. In case the cockpit was constructed more than ten (10) years before the date of renewal of application, a certification from the building official that said cockpit is free from material, structural or other physical hazards;
 3. The names of employees with their designations or positions including persons doing business inside the cockpit including store owners or vendors.
 4. An occupational permit issued by the Licensing Officer to each cockpit personnel and other persons required to be registered by this ordinance;
 5. The permanent schedule of the day or days of regular cockfights it desired; and

6. Health/Sanitary permit.

ARTICLE VII
ADMINISTRATIVE PROVISIONS

Section 1. - The Sangguniang Panlungsod shall determine the number of cockpit allowed to operate in the city. Considering that the City of Alaminos has a population of less than One Hundred Thousand (100,000), only one (1) cockpit is allowed to operate.

Section 2.- Cockfighting shall be allowed only in licensed cockpit/s during Sundays or legal holidays but with prior application to the Sangguniang Panlungsod during the City Agricultural, Commercial or Industrial fair, Carnival or exposition for a period of three (3) days, provided that no cockpit shall be held on the following dates:

1. December 30 (Rizal Day)
2. June 12 (Philippine Independence Day)
3. November 30 (National Heroes Day)
4. Holy Thursday and Good Friday
5. Election/Referendum Day and National and Local Election Registration Day

Section 3. - Cockfighting may also be allowed upon prior resolution approved by the Sangguniang Panlungsod for the entertainment of returning Filipinos (Balikbayan), foreign dignitaries or for tourist support of national fund raising campaigns for charitable purposes.

Section 4. - Only authorized and licensed pit managers, promoters, referees, cashiers, bet managers, pit referees, bet takers, gaters, wounded rooster healers or gaffers shall take part in all kinds of cockfights held in the city. No operator or owner of a cockpit shall employ or allow to participate in the cockfight any of the above-mentioned personnel unless he as registered and licensed as such and paid the fees herein required.

Section 5. - It shall be the obligation of the owner, promoter or lessee of a cockpit to inform the city treasurer's office of the schedule of any derby to be held hereat, at least One (1) week prior to its commencement.

Section 6. - The owner is jointly liable with the promoter or lessee should the promoter or lessee failed to pay the fees, assessments or levies prescribed hereof, except payment for individual permit fees due their employees which may be shouldered by the latter.

Section 7. - No circus, dramas, boxing, concert, shows or other forms of entertainment similar to the foregoing shall be allowed inside the cockpit .

Section 8. - No gambling of any kind shall be permitted on the premises of the cockpit.

ARTICLE VIII
PERMIT FEES

Section 1. Permit fee for Cockpit Operator/Owner/ Licensee. - There shall be collected the following Mayor's permit fees from the cockpit Operators/owners/licensees of cockpit:

- | | | |
|------------------------------|---|------------|
| a. Application fee | - | ₱ 5,000.00 |
| b. Annual Cockpit permit fee | - | ₱ 5,000.00 |

Section 2. Permit fee for Cockpit Personnel - There shall be collected an individual Annual Permit fees for Cockpit personnel.

- a. Pit Manager - ₱ 750.00
- b. Referee - ₱ 750.00
- c. Bet Manager (Kasador) - ₱ 750.00
- d. Bet Taker (Kristo) - ₱ 250.00
- e. Cashiers - ₱ 750.00
- f. Gater - ₱ 250.00

Section 3. Permit fee for individuals other than pit personnel - An Annual permit fee shall be collected from individuals other than pit personnel desiring to the business or activity of promoting derbies, matching cockfights, gaffing, and healing wounded roosters during cockfights or derbies, to wit:

- a. Derby Promoter - ₱ 750.00
- b. Derby Matchmaker - ₱ 250.00
- c. Gaffer - ₱ 250.00
- d. Wounded-Rooster Healer - ₱ 250.00

Section 4. Permit fee for Cockfighting. - The following shall be paid per day during scheduled derbies:

- a. Special derby assessment from promoters of:
 - Two cock derby - ₱ 1,000.00
 - Three cock derby - ₱ 1,500.00
 - Four cock derby - ₱ 2,000.00
 - Five cock derby - ₱ 2,500.00

Section 4. Special Assessments on Regular Cockfights and Derbies. A special assessment in every regular cockfights and derbies, regardless of the amount of bet, shall be collected for every winning cock, the following:

- a. Regular Cockfights: ₱ 50.00 for every winning cock
- b. Derbies : ₱ 100.00 for every winning cock

Section 5. - Admission fees (Amusement Tax) - There shall be collected an admission fees in every regular scheduled cockfight or derby at the rate of:

- a. Twenty Percent (20%) of the gross receipts from the general admission fees.

Section 6. - Time and Manner of Payment.

- a. The application fee is payable to the City Treasurer upon application for a permit or license to operate and maintain cockpits.
- b. The annual cockpit permit fee is payable upon application for a permit before a cockpit shall be allowed to operate and within the first Twenty (20) days of January of each year in case of renewal hereof.
- c. The permit fee on cockpit personnel and other persons required under this ordinance to secure permits shall be paid within the first Twenty (20) days of January of each year.

- d. Payments for each derbies or regular cockfights shall be paid to the City Treasurer's office, this city, within One week after the commencement of a cockfight or derby by showing a record of finished or successful fights and paid tickets issued of the just concluded cockfight or derby.

Section 7. Penalty for non-payment or fraud in the payment of correct assessment.

- a. In case of non-payment of the fees mentioned above by the owner, promoter or lessee of the cockpit, a permit to operate shall not be issued. A repeated non-payment of the fees prescribed above or fraud in the payment of correct assessment shall be a cause for the permanent closure of the cockpit.
- b. A permit shall likewise be denied to cockpit personnel and individuals other than cockpit personnel doing business in the cockpit for non-payment of their respective annual permit fees.

ARTICLE IX
REPEALING CLAUSE

Any provision of any ordinance or resolution inconsistent with any of the provisions of this ordinance is hereby repealed, amended or modified accordingly.

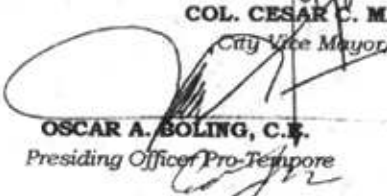
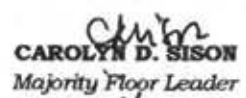

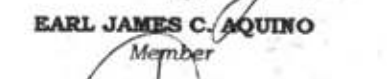



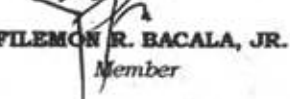


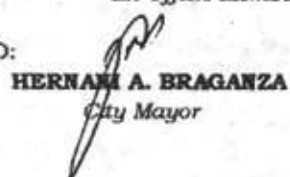
ARTICLE X
DATE OF EFFECTIVITY

This ordinance shall take effect upon publication in a newspaper of general circulation in the Province of Pangasinan for thee (3) consecutive weeks.

ENACTED this 15th day of April, 2011 at Alaminos City, Pangasinan.

I **HEREBY CERTIFY** to the correctness of the foregoing ordinance consisting some six (6) pages including this page.

ATTESTED:

 OSCAR A. BOLING, C.F. <i>Presiding Officer Pro-Tempore</i>	 CAROLYN D. SISON <i>Majority Floor Leader</i>	 VIRGLIO Q. MONTEMAYOR <i>Secretary</i>
 EARL JAMES C. AQUINO <i>Member</i>	 JOSELITO C. FONTELERA <i>Member</i>	 JOSEPH T. BACAY <i>Minority Floor Leader</i>
 CONSTANTE R. CARASI, M.D. <i>Member</i>	 FILEMON R. BACALA, JR. <i>Member</i>	 MARGIELOU ORANGE D. HUMILDE <i>Member</i>
		 EMERLINA B. RAVARRA, LBP <i>Ex-Officio Member</i>
		<p>APPROVED:</p>  HERNANI A. BRAGANZA <i>City Mayor</i>