



REPUBLIC OF THE PHILIPPINES
City of San Carlos, Negros Occidental

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPTS FROM THE MINUTES OF THE 7TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD HELD ON THE 12TH DAY OF SEPTEMBER 2019 AT 4:15 P.M. AT THE SP SESSION HALL, THIS CITY

PRESENT:

Hon. CHRISTOPHER PAUL S. CARMONA,	City Vice Mayor/Presiding Officer
“ CARLOS MANUEL L. VALMAYOR,	SP Member
“ BENITO Y. GUSTILO, JR.,	SP Member
“ PHILIP GERARD B. MAISOG,	SP Member
“ CLINT S. MANSUETO,	SP Member
“ MARK E. CUI,	SP Member
“ ALEXANDER Y. ONGTIAOBOK,	SP Member
“ JEFFREY M. HIDALGO,	SP Member
“ LORNA Y. HINOLAN,	SP Member
“ ANTHONY S. WEE,	SP Member (LnB President)
“ JB SPRING C. BACURNAY,	SP Member (SK Representative)

ON OFFICIAL BUSINESS:

Hon. JOSE CARLOS L. VILLARANTE,	SP Member
“ WILMER L. YAP,	SP Member

ORDINANCE NO. 19-14

AN ORDINANCE PRESCRIBING GUIDELINES FOR THE GRANT OF AN AUTHORITY OR LICENCE TO OPERATE COCKPIT ARENA INCLUDING COCKPIT SITE AND CONSTRUCTION, AND OTHER REGULATIONS RELATIVE THERETO

Introduced by Hons. ONGTIAOBOK, VALMAYOR and MANSUETO

Be it ordained by the Sangguniang Panlungsod of the City of San Carlos, Negros Occidental, in regular session assembled, that:

SECTION 1. SHORT TITLE – This ordinance shall be known as the 2019 Cockfighting Ordinance of San Carlos City.

SECTION 2. COVERAGE - This ordinance shall cover all cockfighting activities within the territorial jurisdiction of San Carlos City including each establishment and operation.

SECTION 3. – PURPOSE - The purpose of this ordinance is the exercise of one of the powers given to the Sangguniang Panlungsod under Section 458 of the Local Government Code of 1991 otherwise known as “Republic Act 7160”.

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

- a. Cockfighting - is a local Filipino Sports where two (2) roosters are allowed to compete or fight on a regulated time and thereafter one is declared a winner or drawn by the referee in accordance with the rules and regulations of the cockpit operators;
- b. Cockpit – is a duly licensed establishment where cockfighting tournament is lawfully allowed under this ordinance;
- c. Cockfighting personnel shall include among others the following:
 - 1) Referee – person assigned to decide the outcome of the cockfight in accordance with the rules and regulations of the cockpit;

- 2) Bet taker/Promoter – refers to a person who alone or with another initiates a cockfight and/or calls and take care of bet from owners of both gamecocks and those of other bettors before he orders the commencement of the cockfight thereafter distributes won bets to the winners after deducting a certain commission, or both;
- 3) Cashier – person assigned at the cockpit to receive the bet and pay the winners of the cockfighting.
- d. Operator - duly registered cockpit operator with license issued by the city government;
- e. Fighting cock/Game cock – also called rooster, whether locally bred or imported or hybrids primarily for cockfighting;
- f. Derby – is an invitational cockfight participated in by game cockers or cockfighting aficionados of the Philippines with the pot money awarded to the proclaimed winning entry;
- g. H L U R B – Housing and Land Use Regulatory Board;
- h. P. D. 449 – Presidential Decree No. 449, otherwise known as “ Cockfighting Law of 1974 “.

SECTION 5. – COCKPITS AND COCKFIGHTING IN GENERAL:

- a. Ownership, Operators and Management of cockpits – Only Filipino Citizens not otherwise disqualified by existing laws shall be allowed to own, manage and operate cockpits;
- b. Cockpit site and construction. Cockpits shall be constructed and operated within the appropriate areas as prescribed in Zoning law or Ordinance, in accordance with the guidelines prescribed by the Housing and Land Use Regulatory Board (HLURB). Nonetheless, no cockpit shall be constructed within or near existing residential or commercial areas, hospitals, school buildings, churches or other public buildings. Approval or issuance of building permits for the construction of cockpits shall be made by the City Engineer in accordance with the building code, ordinances and National Laws.
- c. Holding of cockfights – Cockfighting shall be allowed only in licensed cockpits during Sundays and other Legal Holidays and during local fiestas for not more than three (3) days. It may also be held during provincial, city, agricultural, commercial, or industrial fair in accordance with P.D. 449. No cockfighting shall be held on Holy Thursday, Good Friday, June 12 (Philippine Independence Day), November 30 (National Heroes Day), December 30 (Rizal Day) and during National and Local Elections.
- d. Cockfighting for entertainment of Tourists or for charitable purposes shall be allowed in accordance with P.D. 449.

SECTION 6. – PROHIBITIONS:

- a. Constructions of New Cockpits shall not be allowed within one hundred (100) meters from existing residential areas, hospital zone, school buildings, churches or other public buildings;
- b. Minors are not allowed in cockpits and its premises;
- c. Carrying of firearms and deadly weapons; these should be deposited with the security;
- d. Selling or smoking of cigarettes, use of wrappers, bags, straws and other plastic products, violating the City Plastic Ordinance shall not be allowed;
- e. Game fixers, users of counterfeit currency, betting without money or refused to pay his winner or that maybe undesirable to the interest of the cocking public maybe banned by entering the cockpit, in addition to the criminal charges that maybe filed against them.

SECTION 7. LICENSING OF COCKPITS. The City Mayor is authorized to issue license for the operation and maintenance of cockpits with the concurrence of the Sangguniang Panlungsod.

SECTION 8. PENAL PROVISIONS. Any violation of the provisions of this ordinance shall be punished as follows:

- a.) By imprisonment of six months and/or a fine of Five Thousand (P 5,000.00) pesos when the offender is the owner, manager or operator of a cockpit, or the gaffer, referee or bet taker in the cockfights, or when the offender is guilty of the following: promoting or participating in any other kind of gambling in the premises of cockpits during cockfights.

b.) By imprisonment of three (3) months or a fine of Two Thousand (P 2,000.00) pesos or both, such fine and imprisonment at the discretion of the court in case of any other offender.

SECTION 9. SEPARABILITY CLAUSE. If for any reasons, any provision, section or part of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions which are not affected shall continue in full force and effect.

SECTION 10. 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 11. EFFECTIVITY. – This Code shall take effect immediately after approval and publication once in a local newspaper of general circulation for three (3) consecutive weeks.

ENACTED: SEPTEMBER 12, 2019 by the affirmative votes of Hons. VALMAYOR, GUSTILO, MAISOG, MANSUETO, CUI, ONGTIAOBOK, HIDALGO, HINOLAN, WEE and BACURNAY.

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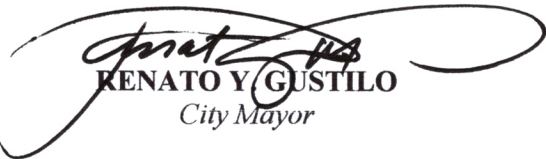
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held at the SP Session Hall, this city on September 12, 2019.

MA. CECILIA SUZETTE C. BINGHAY
Secretary to the Sangguniang Panlungsod

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


CHRISTOPHER PAUL S. CARMONA
Vice Mayor/Presiding Officer

APPROVED ON 26 SEP 2019


RENATO Y. GUSTILO
City Mayor