



PAMAHALAANG BAYAN NG TAYTAY TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 29TH REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN, TAYTAY, RIZAL, HELD ON FEBRUARY 4, 2020, AT THE SESSION HALL OF THE MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Michell B. Bermundo	-	Vice Mayor/Presiding Officer
Hon. Patrick John P. Alcantara	-	Councilor
Hon. Joanne Marie P. Calderon	-	"
Hon. Ceferino R. Resurreccion Jr.	-	"
Hon. Kyle Georic Y. Gacula	-	"
Hon. Ma. Elaine T. Leonardo	-	"
Hon. Philip Jeison J. Cruz	-	"
Hon. Frank Luster L. Santos	-	LnB President
Hon. Jannah Roa D.P. Dazo	-	SK Federation President

ABSENT:

Hon. Sophia Priscilla L. Cabral	-	Councilor
Hon. Ma. Jeca B. Villanueva	-	" (O.B.)

Sponsored by:	Coun. Patrick John P. Alcantara
Co-Sponsored by:	Vice Mayor Michell B. Bermundo
	Coun. Sophia Priscilla L. Cabral
	Coun. Ma. Jeca B. Villanueva
	Coun. Joanne Marie P. Calderon
	Coun. Ceferino R. Resurreccion Jr.
	Coun. Kyle Georic Y. Gacula
	Coun. Ma. Elaine T. Leonardo
	Coun. Philip Jeison J. Cruz
	LnB Pres. Frank Luster L. Santos
	SK Fed. Pres. Jannah Roa D.P. Dazo

ORDINANCE NO. 16 series of 2020

AN ORDINANCE GRANTING FRANCHISE TO UNITED ASSOCIATION OF COCKPIT OWNERS AND OPERATORS OF THE PHILIPPINES, INCORPORATED, TO BROADCAST LIVE AND DATA STREAMED COCKFIGHTING ACTIVITIES AND DERBIES AT COMMERCIAL ESTABLISHMENTS AND TO ESTABLISH, OPERATE AND MAINTAIN OFF-SITE COCKPIT BETTING STATION WITHIN THE MUNICIPALITY OF TAYTAY

WHEREAS, the Sangguniang Bayan as legislative body, by express provision of law, is empowered and authorized to license and grant franchise for the establishment, operation and maintenance of cockpits, regulate cockfighting activities and breeding of fighting cocks within its territorial jurisdiction, provided that existing rights should not be prejudiced;

WHEREAS, the United Association of Cockpit Owners and Operators of the Philippines, Inc. (UACOOPI) is a duly registered association here in the Philippines, which caters to the needs of owners, operators and promoters of cockfighting aficionados;

WHEREAS, pursuant to the Games and Amusement Board (GAB) continuing regulatory powers over all aspects of cockfighting as provided in P.D. No. 1802 (Creating the Philippines Game fowl Commission), in relation to E.O. No. 149 (Streamlining the Office of the President). That were devolved to the LGU's through Sec. 447 (a) (3) (v) of R.A. No. 7160 (Local Government Code of 1991), it granted UACOOOP authority to take video live coverage of cockfights and live stream the same, subject to the terms and conditions stated therein;

WHEREAS, in view of today's modern technology, the Municipality of Taytay recognizes that a cockpit may be viewed in different social media platforms for a fee, through the internet or live-streaming wherein the end-user is situated in another location;

WHEREAS, upon consideration of the application of UACOOOP, the Municipality of Taytay hereby grants franchise for the live streaming, broadcasting or other forms of transmission of cockpits, and any and all betting on cockfighting through the telephone, internet and other electronic machines/means such as short messaging, mobile and desk top applications and similar platforms and collect fees for such purpose in commercial establishments within the Municipality of Taytay;

NOW THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan in a session assembled, that:

SECTION 1. Nature, Scope, Grant of Franchise - Subject to the provisions of applicable laws, rules and regulations, a franchise to broadcast live and date streamed cockfighting activities and derbies at commercial establishment such as bars, club, restaurant and the likes, within the Municipality of Taytay.

The Commercial establishments where the grantee intends to broadcast and live stream cockfighting activities and to establish, operate and maintain off-site cockpit betting stations, shall be located and operated only within appropriated areas as prescribed by zoning laws and applicable ordinances. No establishment shall be operated and maintained within the radius of two hundred (200) lineal meters from any existing school buildings, churches and public buildings.

SECTION 2. Declaration of Franchise - Unless sooner revoked or cancelled, this franchise shall be valid for a period of ten (10) years with the option on the part of the Grantee to renew the same for a similar period and subject to the approval of the Sangguniang Bayan.

A maximum of 20 outlets betting station will be allowed within the Municipality of Taytay and each shall be subject to the approval of the Sangguniang Bayan.

SECTION 3. Authority of the Office of the Mayor - The Grantee shall apply and secure the required business permit to operate from the Office of the Mayor and the latter shall have authority to require compliance of all existing laws, ordinances, rules and regulations similarly imposed to all business establishments and impose conditions thereto as are expressly or impliedly necessary for the protection of the welfare and safety of all persons going or transacting in said commercial establishments.

SECTION 4. Prohibition of Sale, Lease, Usufruct and Transfer of Franchise - This franchise is non-transferable in character. As such, the Grantee shall not sell, assign, lease, grant the usufruct or transfer this franchise, including rights and privileges acquired here under to any person, natural or juridical, firm or other entities, nor merge with any corporation or individual without prior notice and approval of the Sangguniang Bayan.

SECTION 5. Mandatory Payment of Taxes and Fees Provisions - The Grantee shall be liable to pay all taxes and other fees prescribed by the Municipality of Taytay. The assessment shall be without prejudice to the subsequent impositions as may be adopted or hereafter may be required by law or ordinance. Failure on the part of the grantee to promptly and regularly comply with said tax obligations shall be a ground for the automatic revocation or cancellation of this franchise.

SECTION 6. Other Gambling - All gambling games of any kind shall at anytime be hereby prohibited at the premises of the off-site business operation. The managers or lessee/s of such off-site business and the violators of this provision shall be prosecuted and held criminally liable under the provisions of existing laws

SECTION 7. Prohibitions against Minors - No person less than eighteen (18) years of age shall be allowed within the premises of the cockpits at any time. The operator, manager or license shall be responsible for strict compliance with these rules and any violation thereof is punishable by suspension or cancellation of this franchise without prejudice to criminal prosecution under existing ordinance or laws.

SECTION 8. Anti-Fraud Measures - The Office of the Municipal Mayor shall adopt such measure as to obviate the use of fraudulent means or manipulation in all aspects of cockfighting. Persons employing means or manipulation shall be prosecuted against in accordance with our penal laws as may be warranted by the prevailing circumstances.

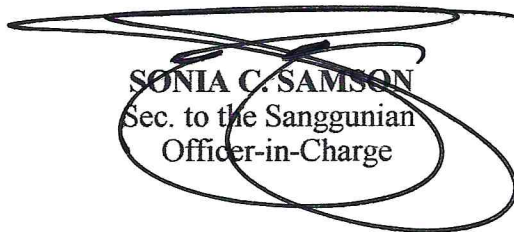
Any breach and/or circumvention of any of the conditions set in this Ordinance, shall be cause for the suspension or revocation of the issued franchise.

SECTION 9. Repealing Clause - All ordinances not consistent with the provisions of this Ordinance are hereby repealed.

SECTION 10. Effectivity Clause - This Ordinance, upon approval, shall take effect thirty (30) days after posting in conspicuous places in the Municipality.

ENACTED, this 4th day of February, 2020 at the Sangguniang Bayan Session Hall, Municipal Building, Taytay, Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Bayan of Taytay on second reading on January 28, 2020 and was passed on third and final reading on February 4, 2020 during the 29th Regular Session held on the 4th day of February, 2020.


SONIA C. SAMSON
Sec. to the Sanggunian
Officer-in-Charge

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. MICHELLE B. BERMUNDO
Municipal Vice Mayor/Presiding Officer

APPROVED BY HIS HONOR
THE MUNICIPAL MAYOR


HON. GEORGE RICARDO B. GACULA II
Municipal Mayor