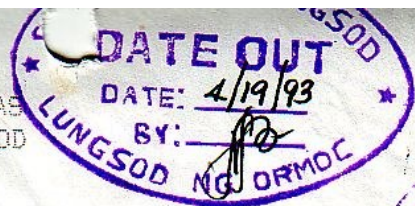


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SIXTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO SESSION HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON APRIL 15, 1993

PRESENT:

Hon. Benjamin F. Tugonon,
Hon. Sotero M. Pepito,
Hon. Jose B. Conejos,
Hon. Celso P. Adolfo,
Hon. Sixto T. Pongos,
Hon. Benjamin B. Lladoc,
Hon. Mariano Y. Corro,
Hon. Nestor C. Penserga,
Hon. Claudio P. Larrazabal,
Hon. Jose C. Alfaro, Jr.,
Hon. Alfredo F. Capahi,
Hon. Fernando P. Parrilla,
Hon. Angelyn R. Paca,

Vice-Mayor & Presiding Officer
Majority Floor Leader, Kagawad
Assistant Majority Floor Leader, Kagawad
Kagawad
Kagawad
Kagawad
Kagawad
Kagawad
Kagawad
Kagawad
Kagawad
ABC President, Ex-Officio, Kagawad
SK Fed. Pres., Ex-Officio, Kagawad

ABSENT:

NONE

RESOLUTION NO. 73
Series of 1993

WHEREAS, Section 438, paragraph (a) subparagraph (3) (v) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, empowers cities through the Sangguniang Panlungsod to authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks;

WHEREAS, cockfighting has been, and still is, a popular, traditional customary form of recreation and entertainment among filipinos during legal holidays, local fiestas, agricultural, commercial and industrial fairs;

WHEREAS, by reason of the aforesaid meaning and connotation of cockfighting in relation to filipino customs and traditions, it should neither be exploited as an object of commercialism or business enterprises nor made a tool of uncontrolled gambling, but more as a vehicle for the preservation and perpetuation of native heritage and thereby enhance our national identity;

WHEREAS, our city needs additional sources of revenues to finance its multifarious projects, and to provide basic services to the people.

NOW, THEREFORE, for and in consideration of the foregoing premises this Honorable Sangguniang Panlungsod of Ormoc, on motion presented by Kagawad MARIANO Y. CORRO, Chairman, Committee on Laws and Ordinances, duly seconded by Kagawad Benjamin B. Lladoc;

RESOLVED, AS IT IS HEREBY RESOLVED, to enact:

ORDINANCE NO. 36

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS AND REGULATE COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN ORMOC CITY.

The SANGGUNIANG PANLUNGSOD NG ORMOC, in a regular session assembled, hereby ordains, that:

SECTION 1. Title - This Ordinance shall be known and cited as the COCKFIGHTING ORDINANCE OF ORMOC CITY.

SECTION 2. Scope - This Ordinance shall govern the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks in Ormoc City.

SECTION 3. Purposes -

- a) To effectively control and regulate the establishment, operation and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks;
- b) To provide wholesome recreation and amusement to our people;
- c) To preserve cockfighting as a traditional and customary form of recreation and entertainment among filipinos; and,
- d) To provide additional revenues, for the city.

SECTION 4. Definition of Terms. - As used herein, the following terms shall be understood, applied and construed as follows:

a) COCKFIGHTING - shall embrace and mean the commonly known game or term "COCKFIGHTING DERBY, PINTAKASI, or TUPADA", HACK-FIGHTS (refer to fights which are not pro-matched) or its equivalent terms in different parts of the City, including cockfighting done outside licensed cockpits when issued a SPECIAL COCKFIGHTING PERMIT (SCP).

b) BET TAKER OR PROMOTER - 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 distribute won bets to the winners after deducting a certain commission.

c) GAFFER (Taga Tari) - A person knowledgeable in the art of arming fighting cocks with gaff or gaffs on either or both legs.

d) STARTER (Soltadore) - The person who releases the contending cock in a cockfight.

e) REFEREE (Sentenciador) - A person who watches and oversees the proper gaffing of fighting cocks, determine 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 his decision by word or gestures the result of the cockfight by announcing the winner or declaring a tie or no contest game.

f) BETTOR - A person who participates in cockfights and with the use of money 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 fighting cock.

g) COCKPIT OPERATOR'S PERMIT (COP). - The document issued to a qualified person granting him a license to operate, establish and maintain a cockpit in the place specified therein.

h) SPECIAL COCKFIGHTING PERMIT (SCP) - a permit issued by the City Mayor for the holding of a cockfight in a place other than in a licensed cockpit for a limited duration and for a special occasion, only.

SECTION 5. Ownership. - Only filipino citizens and partnerships or corporations with 60% filipino equity are qualified to own, manage, and operate cockpits, Cooperative capitalization is encouraged.

SECTION 6. Establishment of cockpits -

- a) Cockpits shall be established, maintained and operated only in specific areas or places where they are now existing, and in such other places as the sangguniang panlungsod may designate by means of resolution upon application filed by qualified persons thereat. To forestall the proliferation of cockpits in the City, the establishment, maintenance and operation thereof shall be regulated at the ratio of one (1) cockpit to every 100,000 population or a fraction thereof.
- b) No two cockpits shall be established, maintained or operated between a distance of less than one thousand (1,000) lineal meters from each other, and no cockpit shall be permitted to operate within a radius of three hundred (300) lineal meters from public buildings, public plazas, public or private schools, churches, chapels, hospitals, athletic stadia, or any institution or building of charity.

SECTION 7. Approval and issuance of building permit for the construction of cockpits shall be made by the City Engineer, in accordance with existing building code, ordinances or engineering laws and practices, and in addition, the applicant must submit, and comply with the following requirements, to wit:

- a) Vicinity map;
- b) Cockpit plan and design;
- c) Cockpits should be constructed of strong materials, strong foundation and galvanized roofing, and the perimeter thereof should be properly fenced;
- d) Cockpits should have ample ringside arena with an accommodation of at least 300 persons and bleachers which can accommodate at least 1,000 persons;
- e) Arenas should have enough space strongly fenced with iron grills and with glass panels, and should be provided with ample lighting for night bouts visibility;
- f) It should be provided with: 1) cockhouses to house at least 50 fighting cocks; 2) comfort rooms for male and female guests and should be properly maintained to ensure sanitation of the premises; 3) Electric fans or air-conditioned to maintain a well ventilated accommodation; 4) Emergency generators, and fire fighting equipment.

SECTION 8. Holding of cockfights in licensed cockpits, shall either be:

- a) REGULAR - Cockfighting allowed during SUNDAYS, LEGAL HOLIDAYS, and CITY FIESTA.
- b) SPECIAL - Cockfighting allowed, upon special permit secured from the City Mayor, and upon payment of special fees, during agricultural, commercial, or industrial fairs, carnival or exposition, or for the entertainment of foreign dignitaries or for tourists, for returning filipinos, commonly known as "balikbayan", or for support of fund raising campaigns for charitable purposes for a period not exceeding three (3) consecutive days. Provided, that no cockfighting shall be held on December 30 (Rizal Day), June 12 (Independence Day), November 30 (National Heroes Day), HOLY THURSDAY, GOOD FRIDAY, election or referendum day, and during registration days for such election or referendum, and on such other dates which may be prohibited by law.

SECTION 9. HOLDING OF COCKFIGHTS OUTSIDE A LICENSED COCKPIT. -

On the occasion of the annual celebration of BARANGAY FIESTAS, upon application which is duly endorsed by a resolution of the sangguniang barangay of the place concerned, for a SPECIAL COCKFIGHTING PERMIT with the City Mayor, and upon approval thereof, and the payment of the required fee, as herein provided, cockfights shall be allowed on the following days: a) once a week, except on SUNDAYS, for three (3) consecutive weeks immediately preceding the barangay fiesta; and, b) on the eve and fall of the barangay fiesta.

However, barangays located within the poblacion of the City of Ormoc, specifically BARANGAY DISTRICT NOS. 1 to 29, are not allowed to hold cockfights, except within the premises of a licensed cockpit.

If a SPECIAL COCKFIGHTING PERMIT (SCP) is granted, the cockfights shall be held not earlier than 10:00 o'clock in the morning, and not later than 8:00 o'clock in the evening of the same day.

SECTION 10. No gambling of any kind shall be permitted on the premises of the cockpit, or within a radius of 50 meters from the place of cockfighting during cockfights. The owner, manager or lessee of such cockpit, or the permittee of the SPECIAL COCKFIGHTING PERMIT and the violators of this injunction shall be criminally liable under Section 16 hereof.

SECTION 11. LICENSING OF COCKPITS. - The City Mayor or his duly authorized representative may issue, upon satisfactory proof that the applicant is qualified, and has complied with the requirements of this ordinance specifically sections 6 and 7 hereof, a COCKPIT OPERATOR'S PERMIT (COP), which shall be valid for three (3) years, renewable for the same period, upon payment of One Thousand (P1,000.00) PESOS.

The grantee of a Cockpit Operator's Permit (COP) shall likewise pay a tax of One Hundred Fifty (P150.00) PESOS, every calendar quarter, payable within the first ten (10) days following the end of the quarter, otherwise, he shall be subject to a surcharge of twenty-five (25%) percent thereof, and to an interest of two (2%) percent per month of the unpaid tax, including the surcharge, until such amount is fully paid, but in no case shall the total interest on the unpaid amount or portion thereof, exceeds thirty-six (36) months.

Should the grantee stop the operation of his cockpit before the expiration of his permit, he should immediately notify in writing the Office of the City Treasurer of Ormoc of such cessation, so as to exempt him in the payment of the quarterly tax, thereafter.

The Cockpit Operator's Permit (COP) is strictly personal to the grantee, hence, non-transferrable. In the event that the grantee alienates cockpit to a third person, the latter should first secure the Cockpit Operator's Permit before he commences to operate the cockpit.

SECTION 12. Other fees for a licensed cockpits. - In addition to the fees mentioned in the next preceding section, the following fees shall likewise be collected:

- a) Annual Mayor's Permit.....P 225.00
- b) three (3) days pintakasi with sponsor
without derby..... 500.00
- c) three (3) days pintakasi with derby & sponsor.. 1,000.00
- d) promotional derby, one day only..... 500.00
- e) City Fiesta, three (3) days pintakasi without
derby and sponsor..... 500.00
- f) City Fiesta, three (3) days pintakasi with
derby..... 1,000.00

DURING DERBIES, for every winning bout, the owner of the winning cock shall pay to the City of Ormoc a certain amount depending on the pot money to wit:

- a) P25.00 if the pot money does not exceed P1,000.00
- b) P50.00 if the pot money exceeds P1,000.00 but not exceed P3,000.00
- c) P100.00 if the pot money exceeds P3,000.00

For this purpose, the City Treasurer shall send his representative to collect the said amount.

SECTION 13. FEE FOR THE HOLDING OF A COCKFIGHT UNDER SPECIAL COCKFIGHTING PERMIT (SCP). - For the issuance of the SPECIAL COCKFIGHTING PERMIT (SCP), there shall be collected from the permittee the amount of FOUR HUNDRED (P400.00) PESOS, which is good for the duration of the cockfights allowed in section 9 hereof, which amount shall accrue solely to the general fund of the barangay where such cockfight is held. The Special Cockfighting Permit fee shall be paid to the City Treasurer upon the issuance of such permit, who shall remit the same to the Barangay Treasurer concerned within ten (10) days from receipt thereof, without the need of any further action.

No more Mayor's Permit fee shall be collected.

SECTION 14. Fees on cockfighting officials. - The herein below named- cockfighting-officials, shall not act as such in any cockpits or in any cockfights with SPECIAL COCKFIGHTING PERMIT (SCP), without first securing a license, renewable every January, from the City Mayor, and upon payment to the City Treasurer, of the annual fees, to wit:

- a) Pit ManagerP300.00
- b) Promoter..... 300.00
- c) Match Maker..... 150.00
- d) Bet Manager (Monton)..... 50.00
- e) referee (sentenciador)..... 100.00
- f) Gaffer..... 100.00
- g) Boltadore..... 100.00
- h) Bet Taker..... 50.00

No license shall be issued to any cockfighting officials mentioned above, unless he is at least 21 years old, of good moral character, of unquestioned integrity, and shall be well versed in the rules, customs and usages of the game.

SECTION 15. All persons maintaining, operating or conducting any cockpit, any person directly or indirectly participating in the cockfights shall abide by, and obey the following rules and regulations of cockfighting as herein below enumerated, to wit:

- Rule 1. It is prohibited for any person to accept any bet without the corresponding money at his disposal to respond to the bet in case he loses. No checks will be accepted in bets or payment of bets.
- Rule 2. No person shall talk to, interfere with, or in any way obstruct the acts of the starters while releasing their respective cocks; neither shall any person talk to, interfere with, or in any way hamper, the referee while a cockfight is in progress, especially when the referee is in the act of rendering his decision on any match.
- Rule 3. Any violation of the provisions of the two preceding rules shall give the management of the cockpit the right to eject the person or persons responsible therefore, and in addition to file such criminal action the management may see fit.
- Rule 4. There shall be a referee (sentenciador) appointed by the management of the cockpit, who shall have the following duties, to wit:
 - a) To direct and supervise the fight of game cocks in the ring, and enforce all the rules on cockfight as herein prescribed;
 - b) To see to it, before the cocks are ordered released to fight, that their gaffs are genuine, placed in the correct position, and in right angle, and properly stringed;

- c) To see to it that the contending cocks are in good physical condition - holding the cocks one after another at a reasonable height from the ground and releasing them so that they may alight freely - and none of the cocks has been fixed (tippe), poisoned, injured, wounded or is unable to continue in a fight due to any physical defects intentionally inflicted upon it. In case any of the cocks suffers from any of these defects, the match shall be nullified;
- d) To keep the two cocks in constant fight until one is outfought in the encounter or the two cocks are dead or refuse to fight any longer; and,
- e) The referee has the authority to declare a draw to a match when in his opinion the match is fixed.
- f) To decide each fight immediately and publicly and his decision is FINAL.

Rule 5. There shall be an assistant referee possessing the same qualifications as the referee who shall act in the absence or sickness of the referee, or discharge such duties as may be assigned to him by the referee.

Rule 6. In case the referee needs assistance in carrying out any of the rules herein prescribed, as in the act of performing the confrontation, and in the removal of the cocks to the center of the ring, he shall ask the assistant referee to render to him the necessary aid.

Rule 7. The contending sides may, in a particular match, agree to appoint a third party to act as referee who shall, however, be subject to all the rules herein prescribed.

Rule 8. The referee and assistant referee, including members of their immediate families, are absolutely prohibited to have game cocks of their own in the cockpit where they are the referee and assistant referee; neither, shall both be allowed to place a bet or side bet during matches (soltadas). Any violation of this rule shall disqualify permanently the referee or the assistant referee, as the case maybe, from acting as such in any cockpit.

Rule 9. There shall be two starters (soltadores) in each fight whose duties shall be to release the contending cocks, and to go to their respective places opposite each other, after the two contending cocks have met and in actual fight. They shall not leave these places, except when their persons are endangered by the fighting cocks, remaining, however, always apart.

The management shall provide places where the starters shall be located after releasing their respective cocks, which places shall be adjacent to the ring with free access thereto.

Rule 10. The starters shall not take back their respective cocks after releasing them to fight, except when so ordered by the referee or when their respective cocks peck on the ground or are out of position.

- Rule 11. The starters shall not interfere with the referee by either preventing the latter from taking the two cocks to perform the necessary confrontation (careo) or from rendering the decision in favor of one cock. Any starter violating this rule shall lose the matched-money delivered by him or by the owner of the cock released by him to the bet fixer: Provided, however, that the bettings of the general public shall be decided in accordance with the result of the fight. The said starter shall furthermore be disqualified permanently from releasing any cock in the ring of any cockpit.
- Rule 12. There shall be a bet fixer (casador) appointed by the management of the cockpit, whose duty shall be to take possession of the matched money from the starters or owners of the two contending cocks before the fight, delivering the money to the corresponding winners after the fight, and after deducting the participation to which the management and the owners agree when the fight is declared a draw.
- Rule 13. The bet fixer shall place the matched money before each fight on a table located within the premises of any cockpit and shall advise the referee before the latter orders the release of the game cocks, that all arrangements with respect to betting have been completed.
- Rule 14. Persons waging a bet may, at their option, change their bet or withdraw their matched money before any fight begins; but once the fight has started, no such change or withdrawal shall be permitted. Any discrepancy or shortage in the amount of bets delivered to the bet fixer shall be paid by the management.
- Rule 15. The management of cockpits has the right and power to oust with the assistance of peace officers to bar any person who is causing nuisance or disturbance in the cockpit premises during cockfights.
- Rule 16. The ring of any cockpit shall be at least seven (7) meters long and seven (7) meters wide, which shall be maintained clean at all times.
- Rule 17. Two lines parallel with each other shall be drawn in the middle of the ring with a distance of forty (40) centimeters between them.
- Rule 18. The game cocks shall each have a gaff of such form and length, and placed in such manner as may be agreed upon between the opposing sides. The gaffs shall be smooth, clean, pointed at the end and sharpened at one side. During the fight the position of such gaffs shall not be changed nor the said gaff touched even if it breaks or drops down or is loosened from the leg.
- Rule 19. The referee may, however, interfere in any match for the purpose of allowing the contending cocks to continue the fight:
- a) When the gaffs of both cocks are entangled with one another thereby preventing the continuance of the fight;

- b) When the gaff of any fighting cock gets entangled with the railing of the ring, or of any object, and its adversary does not take the initiative to attack.
- c) When the gaff is embecked in any of the cocks, the same may be removed when the cocks have stopped pecking or shuffling.

Rule 20. Only four (4) persons shall remain in the ring when the two contending cocks are released to fight, the referee, the two starters, and other employees, not exceeding four, provided that if it is necessary to maintain peace and order, any peace officer may enter or stay in the said premises.

Rule 21. After arrangements have been made with regard to bets waged on each fighting cock, and after having complied with the requirements of the preceding rule, the starters, upon the direction of the referee, shall cause their respective cocks to peck on each other, remove the sheats of the gaffs, and forthwhile release the contending cocks.

Rule 22. Any match shall be deemed terminated -

- a) When one or both cocks are killed in a fight; and,
- b) When any one of them flees or runs away as a sign of giving-up the fight.

The referee shall render his decision by raising the winning cock in his hand, and delivering the same to the corresponding starter.

Rule 23. If in an encounter a cock flees or runs away but does not quackle or give signs that it gives-up the fight, it should be left undisturbed until it quackles and shows signs that it refuses to fight any longer.

Rule 24. The match shall be deemed terminated and considered a draw whenever any of the game cocks, at the start, without being attacked by its adversary, flees or runs away, and refuses to fight.

Rule 25. In no case shall a cockfight be allowed to last more than ten (10) minutes from the start of the fight. After ten (10) minutes, the referee shall declare the said match a DRAW (tabla). However, the referee must count ten (10) seconds from the termination of the ten (10) minutes from the start of the fight. The count must be made public. For this purpose, the management shall provide a time piece situated at a conspicuous place for the general public to see.

Rule 26. Confrontation shall be effected by the referee in the following cases:

- a) When neither of the contending cocks does not initiate a fight or pursue its adversary;
- b) When the cock that pursues its adversary in the ring stops in its pursuit or departs from its course and fight is not resumed when seen by its adversary;

- c) When the cocks are seriously wounded after an encounter and cannot attack each other;
- d) When one of the cocks or both of them appear to be dead;
- e) When one of the fighting cocks attacks the other and cannot pull off its gaff from its adversary; and,
- f) When one of the cocks falls on top of the other and remains in this position or in any case when two cocks are close to each other that each is unable to make any movements to attack each other;
- g) When one of the cocks does not fight back after receiving a blow from its adversary, and it is not certain that it refuses to fight any longer.

Rule 27. Whenever a contending cock abandons its position after confrontation and takes to flight with its feathers near its head raised as an indication of giving up the fight, the said cock shall be deemed to have lost although it walks slowly in leaving such position.

Rule 28. If during the encounter one of the contending cocks falls on the ground, and then flees, leaving behind its adversary, the match shall not be deemed terminated whenever the fleeing cock stops and shows signs to fight, in which case confrontation shall be effected. If it retreats or refuses, the match shall be declared in favor of the adversary.

Rule 29. It shall be the duty of the referee to render his decision in favor of one cock only if this cock has pecked its adversary twice clearly. If the cock refuses to, or cannot, clearly peck twice, or makes one peck and one shuffle, the referee shall declare the fight a draw.

Rule 30. When both cocks are seriously wounded, and after confronting with each other are no longer in a fighting mood, the referee shall observe closely which of them show signs of dying such as twisting the head or pecking on the ground. When one or both cocks show such signs that they should be confronted and place face to face on the ground for them to peck or shuffle at each other. Victory is decided by two (2) pecks or two (2) shuffles or one (1) peck and one (1) shuffle. The decision of the referee is final and unappealable.

Rule 31. When one of the contending cocks, without being attacked by its adversary, walks away from its position and there is doubt as to its desire to fight, the referee shall effect the necessary confrontation. If in the act or performing the confrontation the cock referred to instantly dies at the hands of the referee, it shall be considered the loser after it is pecked twice by its opponent. Should the other cock die instead, confrontation shall be effected just the same, and if its adversary refuses to fight, it shall be considered as having run away, and the match shall be considered a draw.

Rule 32. In the event that the cock referred to in the preceding rule which walks away from its position shows signs of dying in the same manner as its adversary, the referee shall immediately lift and hold it in his hand and place it in

front of the other which might be lying on the ground or standing still to determine which of them shall be declared the loser in accordance with Rule 28, hereof.

Rule 33. A cock which is seriously wounded shall not be considered the loser although it sticks its beak on the ground:

- a) When it continues to stand on its legs; or,
- b) When it sticks its beak on the ground as a result of its attempt to rise due to an injured leg or broken wing or to any wound; or,
- c) When it does so because of its having been pecked by its adversary.

In the last case, the referee shall again place the contending cocks in front of each other, except when the one which stuck its beak on the ground continues on the same condition.

Rule 34. When one of the cocks pierces itself with its own gaff and remains lying on the ground, the referee shall not disturb the cock until he is satisfied that the wounded cock is already dead, in which case he shall pull out the gaff of the dead cock and shall hold its adversary in his hands. The dead cock shall be considered the loser. If on the other hand, it is found that the wounded cock is alive, the referee shall cause them to resume the fight.

Rule 35. If the cock which pierces itself with its own gaff remains alive and its adversary walks from it, confrontation shall be effected by the referee after pulling out the gaff of the wounded cock.

Rule 36. If the cock which was not wounded by its own gaff dies, the referee shall proceed to the confrontation and should its adversary peck or attack, the latter shall be declared the winner. But should it quackle and refuse to fight, the match shall be declared a draw.

The match shall likewise be declared a draw if after pulling out the gaff which struck into a cock, the same dies thereafter, and its adversary does not peck it.

Rule 37. In addition to the case mentioned in the preceding rule, a match shall likewise be declared a draw:

- a) When both cock die simultaneously;
- b) When ~~one~~ of the cocks flees from the other which is in the act of dying and no longer pecks or shuffle;
- c) When both cocks show signs of dying and neither pecks, nor attacks the other. In this case, the referee shall not wait for one to die ahead of the other, nor hold either of them.
- d) When one of the cocks jumps out of the railing of the ring after the first attack of its adversary, and is not wounded;

- e) When both cocks refuse to peck each other before the start of any fight in the absence of a mutual agreement to the effect.

Rule 38. Confrontation shall be effected by the referee and the assistant referee without the intervention of the starters or other persons and shall be done precisely at the place where the cocks are found without the necessity of taking them to the middle of the ring. Confrontation between the live cock and the dead one shall be effected in the same place where they are found. Loser not only loses high placed bet but also his cock, dead or alive.

Rule 39. Questions arising from any condition not covered by these rules shall be decided in accordance with practices, customs and usages generally established and observed in the locality.

SECTION 16. Commercial breeders of fighting cocks shall secure a license, and pay an annual fee of \$100.00 to the City Treasurer, which shall be paid within the month of January, otherwise, he shall be subject to a surcharge of 25% thereof, and to an interest of 2% per month of the unpaid fee, including the surcharge, until such amount is fully paid, but in no case shall the total interest on the unpaid amount or portion thereof, exceeds thirty-six months. For purposes of this section, COMMERCIAL BREEDER OF FIGHTING COCKS, shall mean an annual sale of more than five (5) fighting cocks of a duly registered breeder.

SECTION 17. Prohibited acts. - The following acts shall be considered a violation of this ordinance, and the violator thereof, shall be liable to the penalty provided for in the next following section, to wit:

- a) Any person conducting, engaging or holding a cockfight in a cockpit or place without a valid Cockpit Operator's Permit (COP), or Special Cockfighting Permit (SCP)
- b) Any person conducting, engaging, or holding a cockfight on a day which is not authorized or allowed herein;
- c) Any person who acts as REFEREE, GAFFER, BET TAKERS OR PROMOTERS, STARTERS in any cockfight without first securing and paying the current license fee as referee, gaffer, bet-takers or promoters, starters in cockfighting.
- d) Owners, operators, managers of cockpit who hire, employ, utilize persons as REFEREE, GAFFER, BET-TAKERS OR PROMOTERS, and STARTERS in a cockfight, if those persons do not have the required license to act as such.
- e) Any person who allows, promotes, or participates in any arrangement, combination, scheme, or agreement by which the result of any cockfight shall be predicted and/or known other than on the result of the fighting ability of the contending fighting cocks, such as, but not limited to its poisoning, injuring or wounding.

If the person found guilty hereon, is a cockfighting official, aside from suffering the penalty provided for in Section 18 hereof, he shall also be perpetually disqualified from acting as cockfighting official in any cockpit or cockfight.

SECTION 18. Penal provision. - Any person found guilty of violating any provision of this Ordinance shall be liable to a fine of not less than One Thousand Pesos (P1,000.00) nor more than Five Thousand Pesos (P5,000.00), or to an imprisonment of not less than one (1) Month, nor more than six (6) months, or both such fine and imprisonment, at the discretion of the court.

In case of juridical persons, the manager, president, or the person charged with the responsibility of managing the business, shall be held liable for the violation hereof.

SECTION 19. All existing ordinances inconsistent with the provisions of the Ordinance are hereby considered repealed.

SECTION 20. This Ordinance shall take effect on the first day of May 1993.

SECTION 21. Within ten (10) days after the enactment of this Ordinance, copies thereof shall be posted in at least two (2) conspicuous and publicly accessible places.

ENACTED, April 15, 1993.

RESOLVED, FURTHER, to furnish copies of this resolution-ordinance, one copy each, to the Honorable City Mayor, the City Treasurer, the City Auditor, the Municipal Trial Court, the Regional Trial Court, the City Prosecutor, the Chief Inspector, Philippine National Police, all of Ormoc City, and copies to be posted at prominent and publicly accessible places at the City Hall of Ormoc, and to all concerned.

CARRIED by Majority VOTES, with ten (10) affirmative votes, two (2) abstentions registered by mga Kagawad Jose C. Alfaro, Jr., and Claudio P. Larrazabal.

I HEREBY CERTIFY to the correctness of the foregoing resolution-ordinance.

BENJAMIN F. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:

for: Lymaling
OSCAR F. LASAM 4/19/93
City Secretary

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

5-13-93 *Mr.*
(Date)

/magch'93
/dsk:ordd