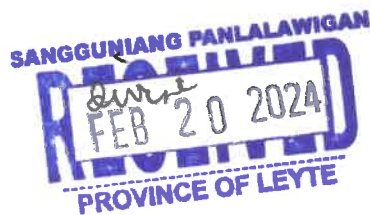


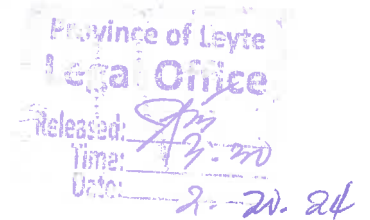
Item No.: 01

Date: 27 2024 FEB

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte



PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
February 16, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-001 of the Sangguniang Bayan of Sta Fe, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447(3)(v)ⁱ of the Code in relation to P.D. 449ⁱⁱ, provided that the provisions and requirements of P.D. 449 and other supplemental statutes concerning the same be met and complied with.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

ⁱ (v) Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks: Provided, That existing rights should not be prejudiced;

ⁱⁱ COCKFIGHTING LAW OF 1974

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 February 2024

Province of Leyte
Legal Office
Released
Time
Date

[Handwritten Signature]

2.14.24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2024-001** of the **MUNICIPALITY** of **SANTA FE, LEYTE**, entitled: **An Ordinance Granting Franchise Renewal to Mrs. Gloria P. Santos to Operate and Maintain a Cockpit Arena in the Municipality of Santa Fe, Leyte.**

[Handwritten Signature]

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Sta. Fe

SANGGUNIANG BAYAN SECRETARY

INDORSEMENT

RESPECTFULLY FORWARDED to the Sangguniang Panlalawigan of the Province of Leyte, Tacloban City, the herein attachment **Municipal Ordinance No. 2024-001 (Series of 2024)** of the Sangguniang Bayan, this Municipality entitled “*An Ordinance Granting Franchise Renewal to Mrs. Gloria P. Santos to Operate and Maintain Cockpit Arena in the Municipality of Santa Fe, Leyte*”, duly approved by said August Body on January 22, 2024, hereby recommending your appropriate favourable action.

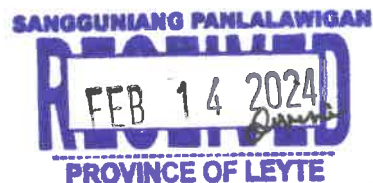

JULIUS XERXES M. OBENQUE
Sangguniang Bayan Secretary

Copy Furnished:

- *The Municipal Mayor*
- *The Municipal Treasurer's Office*
- *The PNP Station Commander*
- *All in Sta. Fe, Leyte*



Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of Santa Fe



SANGGUNIANG BAYAN

THE 3RD REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF SANTA FE, LEYTE, HELD AT THE SB SESSION HALL, SANTA FE, LEYTE ON JANUARY 22, 2024.

MUNICIPAL ORDINANCE NO. 2024 – 001
Series of 2024

AN ORDINANCE GRANTING FRANCHISE RENEWAL TO MRS. GLORIA P. SANTOS TO OPERATE AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF SANTA FE, LEYTE.

AUTHOR: HON. LARRY S. ARUTA

CO-AUTHORS:

- HON. AMIEL P. ENAGE
- HON. ALVIN D. PETILLA
- HON. GENY R. ESMERO
- HON. AGNES A. CHUCA
- HON. EDGARDO R. SALCEDA
- HON. RICARDO D. FAJARDO
- HON. RODEL L. AJETO
- HON. NESTOR F. ESMERO
- HON. GERALD LORENZ NARGA

“Be it enacted by the Sangguniang Bayan in a session duly assembled:

WHEREAS, the Sangguniang Bayan, pursuant to Section 447, (3) (v), of RA 7160, may grant franchise, authorize and license the establishment, operation, and maintenance of cockpit;

WHEREAS, Mrs. Gloria P. Santos, in her individual capacity has filed her application to be granted a franchise to operate a cockpit arena in view of the expiration last February 2024 of the franchise granted to Santos Cockpit Arena;

WHEREAS, upon consideration of the guidelines in the grant of franchise to operate cockpit as provided for and prescribed under existing laws appears that Mrs. Gloria P. Santos, a Filipino Citizen and resident of San Jose, Tacloban City had substantially complied said requirements;

NOW THEREFORE, BE IT ORDAINED THAT:

SECTION 1. Nature, Scope, Grant of Franchise to Operate Cockpit Arena subject to the provisions of applicable laws, rules and regulations, of franchise to operate and maintain a cockpit within the municipality of Sta. Fe is hereby granted to Mrs. Gloria P. Santos a Filipino Citizen and resident of San Jose, Tacloban City (herein referred to as the Grantee). As such, she is authorized to establish and operate one (1) Cockpit Arena specifically located at Barangay Milagrosa of this municipality and which should adhere to the zoning ordinances of the municipality.

SECTION 2. Declaration of Franchise – Unless sooner revoked or cancelled, this Franchise shall be valid for a period of Five (5) years commencing from the effectivity of this ordinance 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.

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, welfare and safety of all persons going or transacting in said cockpit.

Amur

Edgardo P. Salceda

Aruta L



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2024 – 001
Dated January 22, 2024

page 2 of 3

SECTION 4. Prohibition on 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 of, or transfer this franchise including any rights and privileges acquired thereunder to any person natural or juridical, firm or other entitles, nor merge with any corporation or individual without the prior notice and approval of the Sangguniang Bayan.

SECTION 5. Mandatory Payment of Taxes and Fees Provision – The Grantee shall be liable to pay all taxes and other fees prescribed by the Municipal Ordinance otherwise known as the Revenue Code of the Municipality of Sta. Fe to the Office of the Municipal Treasurer. Said 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. Additional Conditions – The Grantee shall be allowed to hold Cockpit during Sundays of every week. For this purpose, the Grantee shall strictly observe the provisions of Presidential Decree No. 449 otherwise known as the Cockfighting Law of 1974 and pertinent issuances particularly on the allowed day as well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a Special Permit in holding their derbies, thereby. The Grantee shall also make available, under reasonable terms, the accommodation of fund-raising activities for Barangay Fiestas and other charitable purposes through Cockfighting activities that may be conducted in the said arena, as part of its corporate social responsibility.

SECTION 7. Revocatory Clause – This Franchise including the complimentary business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for any violation of the PD. 449 and other pertinent ordinances, rules and regulations.

Section 8: Repealing Clause – All ordinances, laws or regulations or any part thereof which are inconsistent herewith are hereby deemed repealed, amended or modified accordingly.

Section 9: Separability Clause – If for any reason any section or portion of this Ordinance is declared as unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 10. EFFECTIVITY. This ordinance shall take effect immediately after its publication in at least three (3) conspicuous places for three (3) consecutive weeks.

ENACTED: This 22nd day of January during the 3rd Regular Session of the 12th Sangguniang Bayan at the Sangguniang Bayan Session Hall, Santa Fe, Leyte.

Let copies of this Ordinance be furnished to the Office of the Municipal Mayor Hon. Amparo H. Monteza; to the Office of the Municipal Treasurer of this LGU and to all other concerned for their guidance and appropriate action.

This ordinance is approved unanimously.

[Handwritten signatures of the Sangguniang Bayan members]

[Vertical handwritten signatures on the right margin]




Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2024 – 001
Dated January 22, 2024

page 3 of 3

ATTESTED/APPROVED:



HON. AMIEL P. ENAGE
SB Member


HON. RODELL L. AJETO
SB Member


HON. ALVIN D. PETILLA
SB Member


HON. GENY R. ESMERO
SB Member


HON. AGNES A. CHUCA
SB Member


HON. EDGARDO R. SALCEDA
SB Member


HON. RICARDO D. FAJARDO
SB Member


HON. LARRY S. ARUTA
SB Member

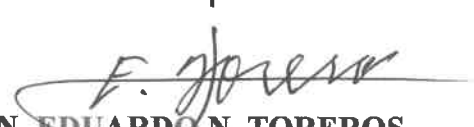

HON. NESTOR F. ESMERO
Liga Pres. / SB Member

(Absent)
HON. JERALD LORENZ NARGA
SK Federation President / SB Member

I HEREBY CERTIFY to the correctness of the foregoing quoted resolution and ordinance.


JULIUS XERYS M. OBENQUE
SB Secretary Designate

ATTESTED BY:


HON. EDUARDO N. TOREROS
Municipal Vice Mayor/Presiding Officer

APPROVED:


HON. AMPARO H. MONTEZA
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

THE 3RD REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF SANTA FE, LEYTE, HELD AT THE SB SESSION HALL, SANTA FE, LEYTE ON JANUARY 22, 2024.

MUNICIPAL ORDINANCE NO. 2024 – 001
Series of 2024

AN ORDINANCE GRANTING FRANCHISE RENEWAL TO MRS. GLORIA P. SANTOS TO OPERATE AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF SANTA FE, LEYTE.

AUTHOR: HON. LARRY S. ARUTA

CO-AUTHORS:

HON. AMIEL P. ENAGE
HON. ALVIN D. PETILLA
HON. GENY R. ESMERO
HON. AGNES A. CHUCA
HON. EDGARDO R. SALCEDA
HON. RICARDO D. FAJARDO
HON. RODEL L. AJETO
HON. NESTOR F. ESMERO
HON. GERALD LORENZ NARGA

“Be it enacted by the Sangguniang Bayan in a session duly assembled:

WHEREAS, the Sangguniang Bayan, pursuant to Section 447, (3) (v), of RA 7160, may grant franchise, authorize and license the establishment, operation, and maintenance of cockpit;

WHEREAS, Mrs. Gloria P. Santos, in her individual capacity has filed her application to be granted a franchise to operate a cockpit arena in view of the expiration last February 2024 of the franchise granted to Santos Cockpit Arena;

WHEREAS, upon consideration of the guidelines in the grant of franchise to operate cockpit as provided for and prescribed under existing laws appears that Mrs. Gloria P. Santos, a Filipino Citizen and resident of San Jose, Tacloban City had substantially complied said requirements;

NOW THEREFORE, BE IT ORDAINED THAT:

SECTION 1. Nature, Scope, Grant of Franchise to Operate Cockpit Arena subject to the provisions of applicable laws, rules and regulations, of franchise to operate and maintain a cockpit within the municipality of Sta. Fe is hereby granted to Mrs. Gloria P. Santos a Filipino Citizen and resident of San Jose, Tacloban City (herein referred to as the Grantee). As such, she is authorized to establish and operate one (1) Cockpit Arena specifically located at Barangay Milagrosa of this municipality and which should adhere to the zoning ordinances of the municipality.

SECTION 2. Declaration of Franchise – Unless sooner revoked or cancelled, this Franchise shall be valid for a period of Five (5) years commencing from the effectivity of this ordinance 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.

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, welfare and safety of all persons going or transacting in said cockpit.

Amurte

Aruta L



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

Continuation: Municipal Ordinance No. 2024 – 001
Dated January 22, 2024

page 2 of 3

SECTION 4. Prohibition on 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 of, or transfer this franchise including any rights and privileges acquired thereunder to any person natural or juridical, firm or other entitles, nor merge with any corporation or individual without the prior notice and approval of the Sangguniang Bayan.

SECTION 5. Mandatory Payment of Taxes and Fees Provision – The Grantee shall be liable to pay all taxes and other fees prescribed by the Municipal Ordinance otherwise known as the Revenue Code of the Municipality of Sta. Fe to the Office of the Municipal Treasurer. Said 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. Additional Conditions – The Grantee shall be allowed to hold Cockpit during Sundays of every week. For this purpose, the Grantee shall strictly observe the provisions of Presidential Decree No. 449 otherwise known as the Cockfighting Law of 1974 and pertinent issuances particularly on the allowed day as well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a Special Permit in holding their derbies, thereby. The Grantee shall also make available, under reasonable terms, the accommodation of fund-raising activities for Barangay Fiestas and other charitable purposes through Cockfighting activities that may be conducted in the said arena, as part of its corporate social responsibility.

SECTION 7. Revocatory Clause – This Franchise including the complimentary business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for any violation of the PD. 449 and other pertinent ordinances, rules and regulations.

Section 8: Repealing Clause – All ordinances, laws or regulations or any part thereof which are inconsistent herewith are hereby deemed repealed, amended or modified accordingly.

Section 9: Separability Clause – If for any reason any section or portion of this Ordinance is declared as unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 10. EFFECTIVITY. This ordinance shall take effect immediately after its publication in at least three (3) conspicuous places for three (3) consecutive weeks.

ENACTED: This 22nd day of January during the 3rd Regular Session of the 12th Sangguniang Bayan at the Sangguniang Bayan Session Hall, Santa Fe, Leyte.

Let copies of this Ordinance be furnished to the Office of the Municipal Mayor Hon. Amparo H. Monteza; to the Office of the Municipal Treasurer of this LGU and to all other concerned for their guidance and appropriate action.

This ordinance is approved unanimously.

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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Santa Fe

SANGGUNIANG BAYAN

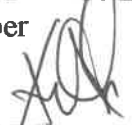
Continuation: Municipal Ordinance No. 2024 – 001
Dated January 22, 2024

page 3 of 3

ATTESTED/APPROVED:


HON. AMIEL F. ENAGE
SB Member


HON. EDGARDO R. SALCEDA
SB Member


HON. RODEL L. AJETO
SB Member


HON. RICARDO D. FAJARDO
SB Member


HON. ALVIN D. PETILLA
SB Member


HON. LARRY S. ARUTA
SB Member


HON. GENY R. ESMERO
SB Member


HON. NESTOR F. ESMERO
Liga Pres. / SB Member


HON. AGNES A. CHUCA
SB Member

(Absent)
HON. JERALD LORENZ NARGA
SK Federation President / SB Member

I HEREBY CERTIFY to the correctness of the foregoing quoted resolution and ordinance.


JULIUS XERXES M. OBENQUE
SB Secretary Designate

ATTESTED BY:


HON. EDUARDO N. TOREROS
Municipal Vice Mayor/Presiding Officer

APPROVED:


HON. AMPARO H. MONTEZA
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Sta. Fe

SANGGUNIANG BAYAN SECRETARY

C E R T I F I C A T I O N O F P O S T I N G

TO WHOM IT MAY CONCERN:

This is to certify that copies of Municipal Ordinance of the herein attached “**Municipal Ordinance No. 2024 – 001 (Series of 2024)** of the Sangguniang Bayan, this Municipality, entitled “*An Ordinance Granting Franchise Renewal to Mrs. Gloria P. Santos to Operate and Maintain a Cockpit Arena in the Municipality of Santa Fe, Leyte*”, duly approved and/or enacted by said August Body on January 22, 2024, has been posted in at least three (3) conspicuous places in the municipality. One copy was posted at the bulletin board at the lobby of the municipal hall, one at the HRMO and one at the Municipal Gymnasium.

ISSUED this 25th day of January 2024 at Sta. Fe, Leyte.


JULIUS XERXES M. OBENQUE
Sangguniang Bayan Secretary