



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Palo, Leyte  
-oOo-



## **COMMITTEE ON GAMES AND AMUSEMENT**

### **COMMITTEE REPORT No. \_\_\_\_\_, Series of 2024**

Referred to this committee is Ordinance No. 013 series of 2023 of the Sangguniang Bayan of Tolosa, Leyte entitled "An Ordinance Amending Section 8, Section 14 of Municipal Ordinance No. 05, Series 1996 Regulating the Establishment Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Gamecocks in the Municipality of Tolosa".

The subject Ordinance was referred to the Provincial Legal Office which recommended for the declaration of its validity, pursuant to its power under Section 56 (c) of R.A. 7160, the same being to the opinion of the Provincial Legal Office, an exercise on the exercise of the **power** authorized under Section 4467 (a) (3) (v) of the Code and PD 1802-A Section 1.

However, this Committee in its deliberation observed that Section 8 of Ordinance No. 013 series of 2023, which quoted hereunder:

**Section 8. PLACE AND TIME OF HOLDING COCKFIGHT IN  
LICENSED COCKPIT STARTS AT 1:00 P.M.**

A.) **REGULAR** - Regular cockfights shall be held on **Tuesdays, Thursdays, and Sundays.**

B.) **SPECIAL** - Special cockfights are allowed obtaining a special permit from the Municipal Mayor with the concurrence of the Sangguniang Bayan and upon payment at the Treasurer's Office of special fees. Provided that none of the above cockfights shall be held on January 1, New Year's Day, June 12, Independence Day, November 30, Bonifacio Day, December 25, Christmas Day, Holy Thursday, Good Friday, Election Day, Referendum Day, and during registration days for such election and referendum day and on such days specially prohibited by law to hold cockfights"

is contrary to the guidelines laid down by PD 449 in holding cockfights. Section 5 (d) and (e) of PD 449 states:

**"Section 5. Cockpits and Cockfighting: In General:**

xxx

(d) **Holding of Cockfights.** Except as provided in this Decree, cockfighting shall be allowed only in licensed cockpits **during Sundays and legal holidays and during local fiestas for not more than three days.** It may also be held during provincial, city or municipal, agricultural, commercial or industrial fair, carnival or exposition for a similar period of three days upon resolution of the province, city or municipality where such fair, carnival or exposition is to be held, subject to the approval of the Chief of Constabulary or

*his authorized representative: Provided, that, no cockfighting on the occasion of such fair, carnival or exposition shall be allowed within the month of a local fiesta or for more than two occasions a year in the same city or municipality: Provided, further, that no cockfighting shall be held on December 30 (Rizal Day), June 12 (Philippine Independence Day) November 30 (National Heroes Day), Holy Thursday, Good Friday, Election or Referendum Day and during Registration Days for such election or referendum.*

In the case of *Tan vs. Pereña*, the Supreme Court states that while Republic Act 7160 otherwise known as the Local Government Code, now governs the authority of the Sangguniang Bayan to authorize or license establishment, operation, and maintenance of cockpits, it is still subject to the limitations laid down in PD 449, otherwise known as the Cockfighting Law of 1974. Considering that Section 447(a)(3)(v) of RA 7160 speaks essentially of the identity of the wielder of the power of control and supervision over cockpit operation, it is not inconsistent with previous enactments that impose restrictions on how such power may be exercised. In short, there is no dichotomy between affirming the power and subjecting it to limitations at the same time.<sup>1</sup>

In DILG Opinion No. 16 series of 2020, the Department of the Interior and Local Government also cited the decision of the Court in the case of *Tan vs. Pereña*, stating that Republic Act No. 7160 is still subject to the limitations laid down in the Presidential Decree No. 449.

Furthermore, the *Whereas* clauses of the Cockfighting Law emphasize that cockfighting "should neither be exploited as an object of commercialism or business enterprise, nor made a tool of uncontrolled gambling, but more as a vehicle for the preservation and perpetuation of native Filipino heritage and thereby enhance our national identity". The obvious thrust of our laws designating when cockfights could be held is to limit cockfighting. Cockfighting is a valid matter of police power regulation, as it is a form of gambling essentially antagonistic to the aims of enhancing national productivity and self-reliance.<sup>2</sup>

While the committee is inclined to recommend for the approval of the subject ordinance, the same could only do so partially. Hence, in view of the foregoing, the committee recommends to approve the subject ordinance, except for Section 8, par. A, thereof, as the same is contrary to the provisions of PD 449, Sec 5 (d) and existing jurisprudence.

Submitted this \_\_\_ day of \_\_\_\_\_, Palo, Leyte.

**HON. MICHAEL L. CARI**  
Chairperson

**HON. VINCENT L. RAMA**  
Vice Chairman

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<sup>1</sup> G.R. No. 149743 (2005)

<sup>2</sup> *Canet vs Decena*, *supra* note 64, *citing* *Lim vs Pacquing*, G.R. No. 115044, 240 SCRA 649 (1995)

**ATTY. CARLO P. LORETO**  
Member

**HON. FLAVIANO C. CENTINO, JR.**  
Member

**HON. WILSON S. UY**  
Member



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

**EXCERPTS FROM THE MINUTES OF THE 75<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON JANUARY 23, 2024.**

**RESOLUTION NO. 2024-042**

**A RESOLUTION REFERRING TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON GAMES AND AMUSEMENT ORDINANCE NO. 013 SERIES OF 2023 OF TOLOSA, LEYTE.**

**WHEREAS**, submitted to the Sangguniang Panlalawigan is **Ordinance No. 013 series of 2023 of Tolosa, Leyte** entitled: **"AN ORDINANCE AMENDING SECTIONS 8, 14, AND 16 OF ORDINANCE NO. 06, SERIES OF 1999 ENTITLED "AN ORDINANCE AMENDING SECTION 8, SECTION 14 OF MUNICIPAL ORDINANCE NO. 05, SERIES 1996 REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN THE MUNICIPALITY OF TOLOSA";**

**WHEREAS**, the August Body, deemed it proper to refer the subject Ordinance to the SP Committee on Games and Amusement said Ordinance;

**NOW, THEREFORE**, on motion presented by Atty. Carlo P. Loreto, duly seconded by Atty. Ronnan Christian M. Reposar, be it

**RESOLVED**, as it is hereby resolved, to **REFER TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON GAMES AND AMUSEMENT ORDINANCE NO. 013 SERIES OF 2023 OF TOLOSA, LEYTE.**

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

  
**FLORINDA J. UYVICO**  
Secretary to the Sanggunian

**ATTESTED:**

  
**HON. LEONARDO M. JAVIER, JR.**  
Vice Governor/Presiding Officer

Copy furnished:

Hon. Michael L. Cari  
Chairperson  
SP Committee on Games and Amusement  
Province of Leyte

LCE and the Sangguniang Bayan  
of Tolosa, Leyte

FJSU: ASS  
Naomi24 January 2024

Item No.: 02

Date: 23 2024 JAN

PROVINCE OF LEYTE  
Palo, Leyte

**PROVINCIAL LEGAL OFFICE**

2<sup>nd</sup> INDORSEMENT  
January 15, 2024

Province of Leyte  
Legal Office  
Released: [Signature]  
Time: [Signature]  
Date: 1-19-24

JAN 17 2024  
PROVINCE OF LEYTE

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 13 series of 2023 of the Sangguniang Bayan of Tolosa, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, the same being to the opinion of the Provincial Legal Office, an exercise of the power authorized under Section 447(3)(v)<sup>i</sup> of the Code and PD 1802-A Section 1<sup>ii</sup>.

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

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

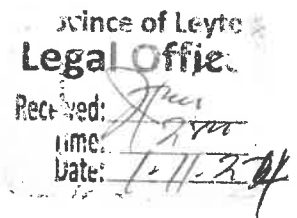
<sup>i</sup> (v) Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks: Provided, That existing rights should not be prejudiced;

<sup>ii</sup> **Section 1.** Section 4 of Presidential Decree No. 1802 is hereby amended to read as follows:  
"Sec. 4. City and Municipal Mayors with the concurrence of their respective "Sanggunians" shall have the authority to license and regulate regular cockfighting pursuant to the rules and regulations promulgated by the Commission and subject to its review and supervision."

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN



Endorsement  
10 January 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 013 series of 2023 of the Municipality of Tolosa, Leyte; entitled: "AN ORDINANCE AMMENDING SECTIONS 8, 14 AND 16 OF ORDINANCE NO. 06 SERIES OF 1999 ENTITLED: AN ORDINANCE AMENDING SECTION 8, SECTION 14 OF MUNICIPAL ORDINANCE NO. 05 SERIES 1996 REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN THE MUNICIPALITY OF TOLOSA."**

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

  
ANDRES SANICO  
ESQ.  
Asst. SP Secretary

SP RECORDS  
1102024



Republic of the Philippines  
**Province of Leyte**  
Municipality of Tolosa

*Office of the Sangguniang Bayan*

## **CERTIFICATION**

### **TO WHOM THIS MAY CONCERN:**

This is to **CERTIFY** that pursuant to paragraph (a) of Article 114 of RA 7160 Posting of **Ordinance 13, Series of 2023, Re: AN ORDINANCE AMENDING SECTIONS 8, 14 AND 16 OF ORDINANCE NO. 06, SERIES OF 1999 ENTITLED "AN ORDINANCE AMENDING SECTION 8, SECTION 14 OF MUNICIPAL ORDINANCE NO. 05, SERIES 1996 REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN THE MUNICIPALITY OF TOLOSA,** was posted in three (3) conspicuous places, with Penal Sanctions, the undersigned has complied the said provision last January 8, 2024.

This **Certification** is issued in compliance of Article 114 of RA 7160.

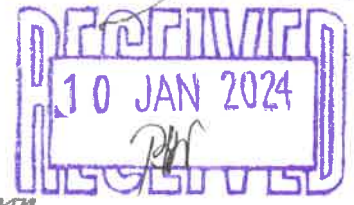
Given this **10<sup>th</sup>** day of **January 2024**.

  
**CONSUELO R. LUMBRE**  
Sangguniang Bayan Secretary



Republic of the Philippines  
Province of Leyte  
Municipality of Tolosa

SANGGUNIANG PANLALAWIGAN



Office of the Sangguniang Bayan

PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 70<sup>TH</sup> REGULAR SESSION  
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE  
SESSION HALL ON DECEMBER 06, 2023, AT 9:00 A.M.

PRESENT:

Hon. Menardo M. Mate	-	-	Municipal Vice-Mayor (Presiding Officer)
Hon. Felicito D. Beltran III	-	-	Sangguniang Bayan Member (Virtually Present)
Hon. Manny R. Martinez, RN., MPRM., DPA	-	-	Sangguniang Bayan Member
Hon. Edilberto R. Zabala, Jr.	-	-	Sangguniang Bayan Member
Hon. Manuel B. Balledo	-	-	Sangguniang Bayan Member
Hon. Felipe V. Canonigo III	-	-	Sangguniang Bayan Member (Virtually Present)
Hon. Virman Jessie O. Pundavela	-	-	Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbre	-	-	Sangguniang Bayan Member
Hon. Rolly A. Cinco	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/ABC President
Hon. Catherine R. Benjamin	-	-	Ex-Officio Member/SK Fed. President

**ORDINANCE NO. 013**  
Series of 2023

AN ORDINANCE AMENDING SECTIONS 8, 14 AND 16 OF ORDINANCE NO. 06, SERIES OF 1999 ENTITLED "AN ORDINANCE AMENDING SECTION 8, SECTION 14 OF MUNICIPAL ORDINANCE NO. 05, SERIES 1996 REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN THE MUNICIPALITY OF TOLOSA

BE IT ORDAINED by the Sangguniang Bayan of Tolosa, Leyte assembled in its regular session that:

**Section 1. TITLIF** – This Ordinance shall be known and cited as COCKFIGHTING ORDINANCE of Tolosa, Leyte.

**Section 2. SCOPE** – This ordinance shall govern the establishment, operation, maintenance, and ownership of cockpits, and commercial breeding of gamecocks in Tolosa, Leyte.

**Section 3. DECLARATION OF POLICY** – It is hereby declared a policy of the Municipal Government of Tolosa, Leyte, to carry on the following goals and objectives in the development of wholesome recreation, relaxation, and entertainment among us Filipinos, to wit:

- To effectively control and regulate the establishment, operation and maintenance of cockpits; and regulate cockfighting and commercial breeding of gamecocks;
- To provide wholesome recreation and amusement to our people;
- To preserve and perpetuate cockfighting as a traditional and customary form of recreation and entertainment among Filipinos; and,
- To generate additional revenue for the Municipality of Tolosa, Leyte.

**Section 4. DEFINITION OF TERMS** – As used herein, the following terms shall be understood, applied, and continued as follows.

- "AMUSEMENT" – Is a pleasurable diversion and entertainment. It is a synonymous to relaxation, avocation, pastime, or fun;
- "AMUSEMENT PLACES" – A place of amusement where one seeks admission to entertain oneself by participating with the use of money, and seeing or viewing cockfighting performance.

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance Amending Sections 8, 14 And 16 of Ordinance No. 06, Series of 1999  
**CONSUELO R. LUMBRE**  
SB Secretary

Page 1 of 11

Ordinance No. 13, Series of 2023

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RN., MPRM., DPA  
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROLLY A. CINCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
FPSK President



- c) RECEIPT – A written acknowledgement of something received from admission for amusement.
- d) COCKPIT – (“GALLERA” or “BOLANGAN”) – A properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- e) COCKFIGHTING (“SABONG” or “BOLANG”) – Shall embrace, and mean the commonly known game or term “COCKFIGHTING DERBY, PINTAKASI OR TUPADA”, or its equivalent terms in different Philippine localities, especially in the Municipality of Tolosa, Leyte.
- f) 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 distributes won bets to the winners after deducting a certain commission.
- g) GAFFER (“TAGA TARI” or “TAGA TADI”) – A person knowledgeable in technique of arming fighting cocks with gaff or gaffs either or both legs.
- h) STARTER (“SOLTADOR”) – A person who personally takes physical custody and control, inside the arena of a betted gamecock, and actually releases the same for actual fight or combat.
- i) REFEREE (“SENTENCIADOR”) – A person who watches and oversees the proper gaffing of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks, and their capability to continue fighting, and make his decision by announcing the winner or declaring a tie or no contest game.
- j) BETTOR – A person who participates in cockfights and with the use of money bets with other bettors or through the bet takers or promoters and win or loss his bets depending upon the result of the cockfight as announced by the referees or sentenciador. He may be the owner of fighting cock.
- k) PIT MANAGER – A person who professionally, regularly and habitually manages a cockpit and cockfights therein.
- l) BET SOLICITOR – person/persons who call for bets with other bettors or bet takers for a commission at the end of the day from one or more patrons.
- m) BET FIXER (“KASADOR”) – 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 fight is declared a draw.
- n) BREEDER – A person engaged in gamefowl breeding or propagation for personal or commercial purposes for eventual use in cockfighting.
- o) PROMOTER – A person licensed by the Mayor in the convening, meeting, holding and celebrating a regular or special programmed and arranged cockfighting like local and international derbies or competitions.
- p) COCKPIT OPERATOR’S PERMIT – Document issued to a qualified person granting him a license to operate, establish, and maintain a cockpit in the place specified therein.
- q) SPECIAL COCKFIGHTING PERMIT – A permit issued by the Municipal Mayor for the holding a cockfight in a place other than in a licensed cockpit for a limited duration and for a special occasion, only, and with the concurrence of the Sangguniang Bayan.
- r) GAMECOCKS – refers to domesticated fowls, whether imported or locally breed, as well as the native fighting cocks, trained and conditioned for actual cockfighting.
- s) ZONE ORDINANCE – Either or both national or local city or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into specific land use as present and future projection of needs warrant.

**Section 5. OWNERSHIP** – Only Filipino Citizens preferably bonafide residents of Tolosa, Leyte and partnerships or corporations with at least 60 per centum of the capital stock wholly owned by Filipinos are qualified to own, manage and operate cockpits. Provided, that, cooperative capitalization shall be encouraged. Provided, however, only cooperatives acknowledged and accredited by Sangguniang Bayan can avail of this provision.

**Section 6. SITE AND CONSTRUCTION OF COCKPITS**

- a) Cockpits shall be established, maintained and operated only in specific areas or places as the Sangguniang Bayan may designate by means of a resolution upon application filed by qualified persons thereat. To construct, establish, maintain and operate of cockpits shall be regulated at the ratio of one (1) cockpit for every 100,000 population or fraction thereof.

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. HARRY R. MARQUEZ  
Sangguniang Bayan Member

HON. EDUARDO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROLANDO A. CIMCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
PPSK President

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Consuelo R. Lumbre  
SB Secretary

- b) No cockpit shall be established, maintained and/or operated within a radius of two hundred (200) lineal meters from any existing residential or commercial area, hospital, school building, and/or public building, churches, chapels, athletic stadia, or any institution or building of charity.

**Section 7. APPROVAL AND ISSUANCE OF BUILDING PERMIT FOR THE CONSTRUCTION OF COCKPITS.** The Municipal Engineer, in accordance with existing building code, ordinance or engineering laws and practices shall do the Approval and issuance of Building Permit for the construction of cockpits.

In addition, the applicant must submit and comply with the following requirements, to wit:

- a) Vicinity map;
- b) Cockpit complex plan and design, conformably with the following condition:
  1. Cockpits should be constructed of strong materials, strong foundation and galvanized roofing, and the perimeter thereof should be properly fenced;
  2. Cockpits should have spacious ringside arena with an accommodation of at least 300 people, bleachers which can accommodate at least 1,000 people;
  3. Arena should have enough space sturdy fenced with iron grill and with glass panels and should be provided with ample lighting for night bouts visibility;
  4. It should be provided with:
    - 2 cockhouses to house at least 50 fighting cocks;
    - 2 comfort rooms for male and female guest and should be properly maintained to ensure sanitation of the premises;
    - 3 electric fans or air-conditioning units to maintain a well-ventilated accommodation;
    - 2 emergency generators, and firefighting equipment.
- c) Provision for cockpit security of duly licensed security guard and uniformed PNP personnel from the municipality.

**Section 8. PLACE AND TIME OF HOLDING COCKFIGHT IN LICENSED COCKPIT STARTS AT 1:00 P.M.**

- A) **Regular** -- Regular cockfights shall be held on Tuesdays, Thursdays, and Sundays.
- B) **Special** -- Special cockfights are allowed upon obtaining a special permit from the Municipal Mayor with the concurrence of the Sangguniang Bayan & upon payment at the Treasurer's Office of special fees. Provided that none of the above cockfights shall be held on January 1, New Year's Day, June 12, Independence Day, November 30, Bonifacio Day, December 25, Christmas Day, Holy Thursday, Good Friday, Election Day, Referendum Day, & during registration days for such election & referendum day & on such other days specially prohibited by law to hold cockfights.

**Section 9. OTHER GAMBLING GAMES PROHIBITED** -- 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 lease of such cockpit, and the violators of this injunction shall be criminally liable under Section 19 hereof.

**Section 10. LICENSING OF COCKPITS** -- The Municipal Mayor or his duly authorized representative may issue a license to establish, operate or maintain cockpit upon satisfactory proof that the applicant is qualified and complied with the requirements of this Ordinance specifically Section 6 and 7 hereof, and upon payment of One Thousand Pesos (P 1,000.00), renewable annually. The license shall be known as "Cockpit Operator's Permit".

The license is strictly personal to the license, hence, non-transferable. In the event that the license alienates the cockpit to a third person, the letter should first secure the necessary license before he commences to operate the cockpit.

**Section 11. BUSINESS TAX** -- The license or grantee of a Cockpit's Operators Permit shall pay a graduated annual business tax at the rate of two percent (2%) of gross receipts of the preceding calendar year.

The total graduated tax realized in a year shall be appropriated into four (4) quarterly installment basis, payable within the first twenty (20) days every calendar quarter, otherwise, he shall be subjected to a surcharge of twenty five (25%) percent thereof, and to an interest of two

HON. MENARDO M. MATE  
Municipal Vice-Mayor

CONSUELO R. LUMBRE  
SB Secretary

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Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
PPSK President

(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.

**Section 12. RETIREMENT OF BUSINESS** – 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 Municipal Treasurer of Tolosa, Leyte of such cessation, and submit a sworn statement of its gross receipts for the current year. If the tax paid during the year be less than the tax due on said gross receipts of the current year, the difference shall be paid before the business concerned officially retires.

**Section 13. BOOK OF ACCOUNTS AND RECORD KEEPING** – For the purpose of the last two (2) preceding Sections, the grantee of a Cockpit's Operators Permit is required to keep the proper book of accounts and records in connection with their operation. The Municipal Treasurer or its duly authorized representative shall have the power to inspect at all times said book of accounts and records.

**Section 14. OTHER FEES & SPECIAL FEES FOR A LICENSED COCKPIT** – In addition, the following fees shall likewise be collected:

No.	Particular	Permit Fee	Per Sultada
a.	Annual Mayor's Permit	15,000.00	
b.	Regular Cockfights per day (Tuesday, Thursday and Sunday)	300.00	30.00
c.	Special Cockfights (Pintakasi)	500.00	50.00
d.	Special Derby		
	Assessment for Promoters		
	- Two-Cock Derby	500.00	100.00
	- Three-Cock Derby	500.00	100.00
	- Four-Cock Derby	500.00	100.00
	- Five-Cock Derby	500.00	100.00
e.	Municipal Derby	1,500.00	100.00
f.	Promotional Derby (one day only)	2,000.00	100.00
g.	Town Fiesta	2,000.00	100.00
h.	10% based on the entrance fee		
i.	Carnival or exposition	No fees shall be collected	
j.	For fund raising to support a fund-raising campaign for charitable purposes not exceeding two consecutive days	No fees shall be collected as long as it is for fund raising campaign	
k.	For entertainment of Balikbayan – Tolosanos who are coming home to Tolosa for enjoyment and entertainment	500.00	

**Section 15. PERMIT REQUIRED FOR SPECIAL COCKFIGHTS**

- a) No special cockfights shall be allowed unless authorized by a special permit from the Office of the Mayor, with the concurrence of the Sangguniang Bayan. Application for such special permit shall be filed with the Office of the Mayor at least Thirty (30) days before the event.
- b) Every application shall be signed by the owner/operator or licensee of the cockpit where such special cockfights are to be held and countersigned by the promoter or a representative of the beneficiary and to be supported with the necessary documents, such as:
  - 1) A copy of proclamation authorizing the fund raising campaign and specifying its purpose; and
  - 2) A letter-request of the beneficiary to the cockpit owner, operator or licensee to hold special cockfights in a particular cockpit.

**Section 16. FEES ON COCKFIGHTING OFFICIALS** – The herein below named cockfighting officials, shall not act as such in any cockpit or in any cockfight with special Cockfighting Permit without securing license, renewable every 21<sup>st</sup> day of January of each year, from the Municipal Mayor, and upon payment to the Municipal Treasure of the annual fees, to wit:

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance Amending Sections 8, 14 And 16 of Ordinance No. 06, Series of 1999  
CONSUELO R. LUMBRE  
SB Secretary

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Ordinance No. 22, Series of 2022

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, JR., MPRM, CPA  
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANDONIGO III  
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROMYVA CINCO  
Sangguniang Bayan Member

HON. MELANIE FELISA H. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
PPSK President

PARTICULAR	Amount Fee
Pit Manager	700.00
Promoters/Hosts	700.00
Bet Taker/"Kristo"/ "Limador"	600.00
Matchmaker	700.00
Bet Manager /"Macedor"/"Kasador"	700.00
Referee	500.00
Gaffer "Mananari"	300.00
Cashier	500.00
Bet Solicitor	600.00

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

**Section 17. COCKFIGHTING RULES AND REGULATIONS** – All persons maintaining, operating or conducting any cockpit or any person directly or indirectly participating in the cockfights shall abide 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, nor in any way hamper the referee while a cockfight is in progress, especially when the referee is in the act 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 to 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 that before the cocks are ordered released to fight, their gaffs are genuine, placed in the correct position and in the right angle and is properly stringed;
- c) To see to it that the contending cocks are in good physical condition by holding the cocks one after another at a reasonable height from the ground and releasing them so that they may alight freely to ensure that none of the cocks has been fixed ("tiyope"), 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. 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 of the referee, and 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 from the center of the ring, he shall ask the assistant referee to render to him the necessary aid.

Rule 7. The contending sided 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.

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. MANNY R. MAESTRIZ, RM, APPRAISER  
Sangguniang Bayan Member

HON. EDUARDO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance No. 13, Series of 2022  
Ordinance Amending Sections 8, 14 And 16 of Ordinance No. 06, Series of 1999  
CONSUELO R. LUMBRE  
SB Secretary

Page 5 of 11

HON. YIPMAK JESSIE O. PUNDAYELA  
Sangguniang Bayan Member

HON. TRENED ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROMY R. CIMCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATERINE R. BENJAMIN  
Sangguniang Bayan Member  
PSK President

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. NANNY R. MARTINEZ  
Sangguniang Bayan Member

HON. EDIBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

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 are to release the contending cocks and to go to their respective places opposite each other, after the two contending cocks have met 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 where the starters shall be located after releasing their respective cocks, which places shall be adjacent to the ring with access thereto.

Rule 10. The starters shall not take back their respective cocks after releasing them to fight, except when go ordered by the referee or when their respective cocks pack 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 loss the matched-money delivered by him or by the owner of the cock released by him to the bet fixer; Provided, however, that the betting's 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 duties are to take possession of the matched money from the starters of owners of the two contending cocks before the fight and to deliver the money to the corresponding winners after the fight and after deducting the participating 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 this latter orders the release of the game cocks, that all arrangements with respects 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 the cockpits with the assistance of peace officers has the right and power to oust or 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 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 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 touched even if it breaks or drops down or it's loosened from the leg.

Rule 19. The referees may, however, interfere in any match for the purpose of allowing the contending cocks to continue the fight.

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance Amending Sections 8, 14 And 16 of Ordinance No. 08, Series of 1999  
CONSUELO R. LUMBRE  
SB Secretary

HON. YIRMAN JESSIE O. PUNDAYELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROLY A. CUNCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BERJAMIN  
Sangguniang Bayan Member  
PFSK President

- a) When the gaffs of both cocks are entangled with one another thereby preventing the continuance of the fight;
- b) When the gaffs 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 packing or shuffling.

Rule 20. Only five (5) persons shall remain in the ring when the two contending cocks are released to fight, namely: the referee, assistant referee, two starters, and any other employee. Provided, that when 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 regards to bets waged on each fighting cock, and after having complied with 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 sheaths of the gaffs, and forth while 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 is a sign of giving-up the fight.

The referee shall render his decision 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 cackle or give signs that it is giving-up the fight, it should be left undisturbed until it cackles and shows signs that it refuses to fight some more.

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 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 court 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 effective 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 pursue its adversary in the ring stop in its pursuits or departs from its course and fight is not resumed 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;
- f) when one of the cocks falls on top of the other and remains in such position or any case when two cocks are close to each other and are unable to make any movements to attack each other; and,
- 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 a flight with its feathers near its head raised (namamarat) as an indication of giving up the fights, the said cock shall be deemed to have lost although it can still walk slowly in leaving such position.

Rule 28. If during the encounter, one of the contending cocks fails on the ground, and then flees, leaving behind its adversary, the match shall not be deemed terminated if

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RM, NPPRM, DPA  
Sangguniang Bayan Member

HON. EDILBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance Amending Sections 6, 14 and 16 of Ordinance No. 06, Series of 1999  
Page 7 of 11  
Ordinance No. 13, Series of 2023  
CONSUELO R. LUMBRE  
SB Secretary

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROYAL A. LINCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
AEC President

HON. CATHRINE R. BENJAMIN  
Sangguniang Bayan Member  
PESK President

the fleeing cock stops, and shows signs to fight back, 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 ("Tosik") and one shuffle ("pika") the referee shall declare the fight a draw.

Rule 30. When both cocks are seriously wounded and after confrontation 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 confronting 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 attack 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 of 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 on 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, hereto.

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 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, continue 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 away from it, confrontation shall be effected by the reference after pulling out the gaff at the wounded area.

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 cackle 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 cause mentioned in the preceding rule, a match shall likewise be declared a draw:

HON. MENARDO M. MATE  
Municipal Vice-Mayor

  
Ordinance Amending Sections 8, 14 And 16 of Ordinance No. 06, Series of 1999  
CONSUELO R. LUMBRE  
SB Secretary

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

  
HON. MANNY R. MARTINEZ  
Sangguniang Bayan Member

  
HON. EDILBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONICO III  
Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

  
HON. ROLANDO A. CINCO  
Sangguniang Bayan Member

  
HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

  
HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
P-25K President

HON. FELICITO D. BELTRAN III  
Sangguniang Bayan Member

HON. MANNY R. MARTINEZ, RN, MBA, CPA  
Sangguniang Bayan Member

HON. EDIBERTO R. ZABALA, JR.  
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO  
Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III  
Sangguniang Bayan Member

- a) when both cock dies simultaneously;
- b) 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.
- c) when one of the cocks flees from the other which is in the act of dying and no longer pecks or shuffle;
- d) when one of the cocks jumps out of the railing of the ring after the first attack or its adversary, and is not wounded;
- e) when both cocks refuse to peck unto each other before the start of any fight on 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 the 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 same place where they are found. The loser loses not only his 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 18. COMMERCIAL BREEDING OF FIGHTING COCK** -Any person engaged in commercial breeding of fighting cocks shall secure a license, and pay an annual fee of P 50.00 to the Municipal Treasurer, which shall be paid within the first twenty (20) days of January of every year, otherwise, he shall be subjected to a surcharge of 25% percent thereof, and to an interest of 2% percent 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 (36) months. For purposes of this section, **COMMERCIAL BREEDER OF FIGHTING COCKS** shall mean an annual sale or more than five (5) fighting cocks of a duly registered breeder.

**Section 19. 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 Section 22, to wit:

- a) Any person conducting, engaging or holding a cockfight in a cockpit or place without a valid Cockpit Operators Permit or Special Cockfighting Permit;
- 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 (PROMOTERS)** in any cockfight without first securing and paying the current license fee as referee, gaffer, bet-takers (promoters) in cockfighting.
- d) Owners, Operators, Managers of cockpit who hire, employ, utilize persons as **Referee, Gaffer, Bet-Takers (PROMOTERS) or Starters**, in a cockfight, if those persons do not have the required license to act as such.
- e) Any person who allows promoters or participants in any arrangements, 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 cockfighting official, aside from suffering the penalty provided for in Section 22 hereon, he shall also be perpetually disqualified from acting as cockfighting officials in any cockpit of cockfighting.

**Section 20. UPDATE OF COCKPIT OPERATION** – Upon the effectivity of this ordinance, before any person can engage any activity defined in this ordinance which requires license, must secure the necessary requirement and apply in the Municipality of Tolosa, Leyte. Provided,

HON. MENARDO M. MATE  
Municipal Vice-Mayor

Ordinance Amending Sections 8, 14 and 16 of Ordinance No. 06, Series of 1999  
Page 9 of 11  
Ordinance No. 13, Series of 2023  
SB Secretary  
CONSUELO R. LUMBRE

HON. VIRMAN JESSIE O. PUNDAVELA  
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE  
Sangguniang Bayan Member

HON. ROLAN A. CINCO  
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO  
Sangguniang Bayan Member  
ABC President

HON. CATHERINE R. BENJAMIN  
Sangguniang Bayan Member  
PPSIC President



however, that a current license issued by the municipality to any license shall remain valid until its expiry date.

**Section 21. ENTRANCE FEE OF EXECUTIVE, AND LEGISLATIVE PERSONEL FOR FREE.**

Personnel from the Executive, and Legislative Body are not required to pay entrance fee if its purpose of which is to observe how the cockpit is managed and if the basis is in aid of legislation.

**Section 22. PENAL PROVISION** – Any person found guilty of violating any provision of this ordinance shall be liable to a fine not less than Five Hundred (P 500.00) Pesos nor more than Two Thousand (P 2,000.00) Pesos, or to an Imprisonment of not less than one (1) month, nor more than Five (5) 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 23. REPEALING CLAUSE** – All existing ordinances inconsistent with the provisions of this ordinance are hereby considered repealed.

**Section 24. POSTING** – Upon approval of this ordinance, copies thereof shall be posted in at least three (3) conspicuous and publicly accessible places for a period of three (3) consecutive weeks.

**Section 25. EFFECTIVITY** – This ordinance shall take effect twenty-one (21) days after copies thereof have been posted at prominent places in the municipal hall and public market.

**ENACTED: December 6, 2023**

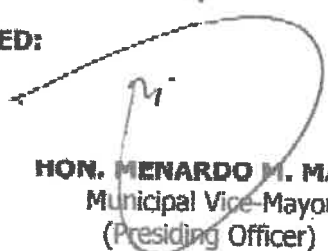
I HEREBY CERTIFY to the correctness of the foregoing **Ordinance No. 13, Series of 2023** in the **70<sup>th</sup> Regular Session** of the Sangguniang Bayan of Tolosa, Leyte on **December 6, 2023**

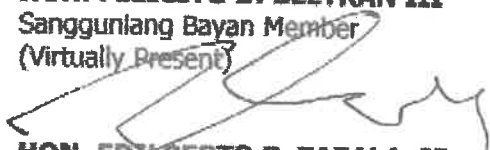
  
**CONSUELO R. LUMBRE**  
Sangguniang Bayan Secretary

**MOVANT:**

  
**HON. ROLLY M. CINCO**  
Sangguniang Bayan Member

**ATTESTED:**


  
**HON. MENARDO M. MATE**  
Municipal Vice-Mayor  
(Presiding Officer)

  
**HON. FELICITO D. BELTRAN III**  
Sangguniang Bayan Member  
(Virtually Present)

  
**HON. EDHERBERTO R. ZABALA, JR.**  
Sangguniang Bayan Member

  
**HON. MANNY R. MARTINEZ, RN., MPRM., DPA.**  
Sangguniang Bayan Member

  
**HON. MANUEL B. BALLEDO**  
Sangguniang Bayan Member

  
**HON. FELIPE V. CANONIGO III**  
Sangguniang Bayan Member  
(Virtually Present)

**HON. IRENEO ROLANDO A. LUMBRE**  
Sangguniang Bayan Member

  
**HON. CATHERINE R. BENJAMIN**  
Ex-Officio Member/SK Fed. President

**HON. VIRMAN JESSI O. PUNDAVELA**  
Sangguniang Bayan Member

  
**HON. MELANIE FELISA M. VIVERO**  
Ex-Officio Member/ABC President

**APPROVED:**

  
**HON. ERWIN S. OCAÑA**  
Municipal Mayor



Republic of the Philippines  
 Province of Leyte  
 Municipality of Tolosa  
 Office of the Sangguniang Bayan

**EXCERPT FROM THE MINUTES OF THE 70<sup>TH</sup> REGULAR SESSION  
 OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE  
 SESSION HALL ON DECEMBER 06, 2023, AT 9:00 A.M.**

**PRESENT:**

Hon. Menardo M. Mate	-	-	Municipal Vice-Mayor (Presiding Officer)
Hon. Felicitto D. Beltran III	-	-	Sangguniang Bayan Member
Hon. Manny R. Martinez, RN., MPRM., DPA.-	-	-	Sangguniang Bayan Member
Hon. Edilberto R. Zabala, Jr.	-	-	Sangguniang Bayan Member
Hon. Manuel B. Balledo	-	-	Sangguniang Bayan Member
Hon. Felipe V. Canonigo III	-	-	Sangguniang Bayan Member
Hon. Virman Jessie O. Pundavela-	-	-	Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbré	-	-	Sangguniang Bayan Member
Hon. Rolly A. Cinco	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/ABC President
Hon. Catherine R. Benjamin	-	-	Ex-Officio Member/SK Fed. President

**RESOLUTION NO. 12-213-2023**

**RESOLUTION APPROVING ORDINANCE AMENDING SECTIONS 8, 14 AND 16 OF  
 ORDINANCE NO. 06, SERIES OF 1999 ENTITLED "AN ORDINANCE AMENDING  
 SECTION 8, SECTION 14 OF MUNICIPAL ORDINANCE NO. 05, SERIES 1996  
 REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF  
 COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAMECOCKS IN  
 THE MUNICIPALITY OF TOLOSA**

**WHEREAS**, the Sangguniang Bayan in session assembled hereby approve Ordinance Amending Sections 8, 14 and 16 of Ordinance No. 06, Series of 1999 *Entitled* "An Ordinance Amending Section 8, Section 14 of Municipal Ordinance No. 05, Series 1996 Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Gamecocks in the Municipality of Tolosa;

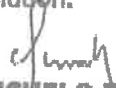
**WHEREFORE**, on motion of Hon. Rolly A. Cinco and seconded by Hon. Melanie Felisa M. Vivero, Hon. Catherine R. Benjamin, Hon. Edilberto R. Zabala, Jr., Hon. Felipe V. Canonigo III and Hon. Manny R. Martinez, RN., MPRM., DPA., as qualifier, be it;

**RESOLVED**, as it is hereby resolved, to approve Ordinance Amending Sections 8, 14 and 16 of Ordinance No. 06, Series of 1999 *Entitled* "An Ordinance Amending Section 8, Section 14 of Municipal Ordinance No. 05, Series 1996 Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Gamecocks in the Municipality of Tolosa;

**RESOLVED FINALLY**, that copy of this resolution be forwarded to Hon. Erwin C. Ocaña, Municipal Mayor, Tolosa, Leyte, and other offices concerned, for their information and appropriate action.

**APPROVED.**

**I HEREBY CERTIFY** to the correctness of the foregoing resolution.

  
**CONSUELO R. LUMBRE**  
 Sangguniang Bayan Secretary

**MOVANT:**

  
**HON. ROLLY A. CINCO**  
 Sangguniang Bayan Member

**ATTESTED:**

  
**HON. MENARDO M. MATE**  
 Municipal Vice-Mayor  
 (Presiding Officer)

**APPROVED:**

  
**HON. ERWIN C. OCAÑA**  
 Municipal Mayor



Republic of the Philippines  
Province of *Leyte*  
Municipality of Tolosa  
*Office of the Sangguniang Bayan*

**MINUTES OF PUBLIC HEARING HELD IN BARANGAY CANTARIWIS  
COVERED COURT, CANTARIWIS, TOLOSA, LEYTE,  
ON NOVEMBER 15, 2023, @ 9:00 A.M.**

**ATTENDANCE:**

Hon. Erwin C. Ocaña	-	-	Municipal Mayor
Hon. Menardo M. Matc	-	-	Municipal Vice-Mayor
Hon. Rolly A. Cinco	-	-	Sangguniang Bayan Member Chairman Committee on Games and Amusement
Hon. Felicito C. Beltran III	-	-	Sangguniang Bayan Member
Hon. Manny R. Martinez, RN., MPRM., DPA.	-	-	Sangguniang Bayan Member
Hon. Edilberto R. Zabala, Jr.	-	-	Sangguniang Bayan Member
Hon. Trenen Rolando A. Lumbre	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/ABC President
Mr. Jesus Jacer	-	-	RCC II/Market Collector
Mr. Francis Angelo A. Roa	-	-	Operator/AIR53 Tolosa Amusement Center
Barangay Officials of the Different Barangays			
Cockfighting Aficionados			
PNP			

**SUBJECT:**

- **Proposed Ordinance amending sections (8, 14 and 16) of Ordinance No. 06, series of 1999 entitled "An Ordinance Amending Section 8, Section 14 of Municipal Ordinance No. 05, Series 1996 Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Gamecocks in the Municipality of Tolosa**

**Emcee:** Ms. Maegan Joy O. Roa

**Invocation:** Computer Generated

**Philippine National Anthem:** Computer Generated

**Tolosa Hymn:** Computer Generated

**Emcee** – Miss Maegan Joy O. Roa informed that this public hearing was conducted to inform the public regarding the proposed Ordinance amending the following sections 8, 14 and 16 of Ordinance No. 06, 1999. She also informed that parts of the programs which is the Local Chief Executive will give his opening message and gave the floor to Hon. Erwin C. Ocaña.

**Opening Remarks:**

**Opening Remarks** – Mayor Erwin C. Ocaña was given the floor. He informed that this is the 1<sup>st</sup> time he attended the public hearing that several people attended this public hearing. The purpose of this is to increase the revenue of the Local Government Unit especially the operation of galleria. Imagine the last time we passed this ordinance was since 1996. He extended thanks the public for attending this public hearing and acknowledge Barangay Officials of Olot for the 100% attendance.

Hon. Alvin G. Nirza, Punong Barangay, Cantariwis, acknowledge the visitors especially the Local Chief Executive and all the Punong Barangays present.

*[Signature]*

## Reading of the Draft Ordinance:

Hon. Rolly A. Cinco read the proposed and existing ordinance. He added that it will be the extra income of the Local Government Unit and read the increase, proposed fees and it will increase the revenue of the Local Government Unit.

For Regular Cockfights – Tuesday, Thursday and Sunday for the Thursday it is the proposed.

### Proposed Fees:

- a) Regular Cockfights per Day (Tuesday, Thursday and Sunday) – Php300.00  
Payment for the permit/from Php10.00 per sultada to Php30.00 per sultada
- b) Special cockfights (Pintakasi) Php500.00 payment for the permit/from Php15.00 per sultada to Php50.00 per sultada
- c) Special Derby:  
Assessment for Promoters
  - Two-cock Derby – Php500.00 payment for the permit/Php100.00 per sultada
  - Three-cock Derby – Php500.00 payment for the permit/Php100.00 per sultada
  - Four-cock Derby – Php500.00 payment for the permit/Php100.00 per sultada
  - Five-cock Derby – Php500.00 payment for the permit/Php100.00 per sultada
- d) Municipal Derby Php500.00 payment for the permit/Php100.00 per sultada
- e) Promotion Derby (one day only) Php2,000.00 payment for the permit/Php100.00 per sultada
- f) Town Fiesta Php2,000.00 payment for the permit.Php100.00 per sultada
- g) 10% based on the entrance fee

### Open Forum:

Hon. Cecilio C. Marilla asked if the proposed fees per game or annual.

Hon. Rolly A. Cinco replied per game.

Hon. Alvin G. Nirza asked what are the benefits of the barangay.

Honorable Mayor answered and suggested to make an Ordinance which is subject for approval of the Sangguniang Bayan and Sangguniang Panlalawigan so it need to amend the ordinance.

Hon. Alvin G. Nirza asked how about the magtirinda.

Mr. Francis Angelo A. Roa operator answered priority are the residents of your barangay.

Though it is just temporary structure they can enter and sell their goods.

He explained that is based on the entrance fee they have the price extracted from entrance fee so he appealed not to implement the 15% entrance fee because it is where the price is extracted and to waive the 15% entrance fee.

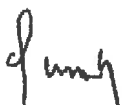
Hon. Rolly A. Cinco assured it will be deliberated by the Sangguniang Bayan to waive.

Mr. Rolly President of the bet caller ask if it is individual or association so with the bet caller, gaffer and he thinks that their permit is by association.

Honorable Mayor suggested that it must be individual and it must be registered so as their protection of the individual. The point to serve as protection if they are registered individual unlike if it is an association to be safe.

Municipal Vice Mayor answered from the beginning it is individual since there is an identity and must be accredited by the association.

Hon. Felicito D. Beltran III ask what is the basis for cockfights to have every Thursday.



Hon. Rolly A. Cinco said it is already answered of PD449 which is on Sunday and Tuesday since it is tabo day for Thursday not to exceed 3 days in a week.

Honorable Mayor - regarding Thursday it is included in the proposed ordinance so it needs to deliberate and subject for approval of Sangguniang Panlalawigan.

Miss Maegan Joy Roa clarified that this already the time for clarification and to ask questions and to reiterate the question of Hon. Felicito D. Beltran III.

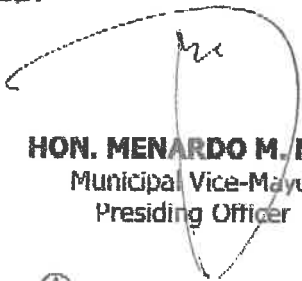
**Closing Remarks –**


Hon. Menardo M. Mate, Municipal Vice-Mayor – extended thanks to the public for attending the public hearing and reiterated the statement of the Local Chief Executive since several people attended this public hearing. He called that this public hearing will be presented to the Sangguniang Bayan for discussion. He added that this will increase our revenue once this ordinance will be approved by the Sangguniang Bayan for 3<sup>rd</sup> reading then to the Sangguniang Panlalawigan for review and approval. He requested the bet callers, gaffer to accredit to the Sangguniang Bayan.

Certified Correct:

  
**CONSUELO R. LUMBRE**  
Sangguniang Bayan Secretary

**ATTESTED:**

  
**HON. MENARDO M. MATE**  
Municipal Vice-Mayor  
Presiding Officer

  
**HON. ROLLY A. CINCO**  
Sangguniang Bayan Member  
Chairman Committee on Games and Amusement

  
**HON. FELICITO D. BELTRAN III**  
Sangguniang Bayan Member

  
**HON. MANNY B. MARTINEZ, RN., MPRM., DPA.**  
Sangguniang Bayan Member

  
**HON. EDILBERTO R. ZABALA, JR.**  
Sangguniang Bayan Member

  
**HON. IRENEO ROLANDO A. LUMBRE**  
Sangguniang Bayan Member

  
**HON. MELANIE FELISA M. VIVERO**  
Ex-Officio Member/ABC President



Republic of the Philippines  
 Province of Leyte  
 Municipality of Tolosa

Office of the Sangguniang Bayan

# ATTENDANCE SHEET

## Public Hearing

November 15, 2023 / 9:00 A.M.

@ Brgy. Cantariwis Covered Court  
 Brgy. Cantariwis, Tolosa, Leyte

### SUBJECT:

- Proposed Ordinance amending the following sections (8, 14 and 16) of Ordinance No. 06, series of 1999, Entitled "An Ordinance Amending Section 8, Section 14 of Municipal Ordinance No. 05, Series 1996 Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Gamecocks in the Municipality of Tolosa

No.	Name	Address	Signature
1.	RICHARDO A. CESAR	BRGY. OLOT - TOLOSA LEYTE	
2.	Christopher P. Trinchera	Brgy. Cantariwis	
3.	Nicolan A. Jaquez		
4.	RUEL O. ESPINO	BRIGANDA	
5.	Juan Villamor		
6.	Maximo Advincula	OPONG	
7.	Rhyan Samero	Tunglas	
8.	ARNEL AIMERIA	Teligayao	
9.	JOEL SOROM	BRIGANDA	
10.			
11.	AGRICO RACINOLA	MAIBOG	
12.	JEANE ADVINCULA	IMEIDA	
13.	JERRY ESPINA	Quihao	
14.	OWA ADVINCULA	1324GIDA	
15.	Miguel Sabala	MAIBOG	

16.	BANQUETO CALAMAYA		<i>afay</i>
17.	Angelo Encina		<i>AF</i>
18.	JUDY PALANA	DURAK	<i>Palana</i>
19.	ARVIN D. NUEVAS		<i>ARVIN</i>
20.	JOHNNY DE PAZ	CANTARIWIS	<i>JOHNNY</i>
21.	LINO PESADO	<i>LR</i>	<i>OTIAB</i>
22.	<i>JOEY</i>	<i>JOEY</i>	<i>JOEY</i>
23.	JOEY TRINCHERA	<i>JOEY</i>	<i>JOEY</i>
24.	ARIEL BACLAS	TANGITAS	<i>Honda</i>
25.	JERRY CALAMAYA	Quilao	<i>GF</i>
26.	NOLI CALAMAYA	Quilao	<i>GF</i>
27.	<i>JOEY</i> Salato	Niroy Roy	<i>JOEY</i>
28.	<i>JOEY</i> delucala		<i>JOEY</i>
29.	JOVI SABAGE		<i>JOVI SABAGE</i>
30.	Edoardo C. Cinco		<i>Edoardo</i>
31.	Jovil Malate	San Vicente	<i>JOVI</i>
32.	Romy Bulano	"	<i>JOVI</i>
33.	ERON CAYIC	CANTARIWIS	<i>ERON</i>
34.	CASTOR OLIVERA	CANTARIWIS	CASTOR
35.	JOSEY CUMBAY		<i>JOSEY</i>
36.	ROGER CALAMAYA	Quilao	<i>ROGER</i>
37.	IGNACIO A. SERVANA	"	<i>IGNACIO</i>
38.	RITCHIE V. CANDONGO	SAN ROGUE	<i>RITCHIE</i>
39.	Rolfo S. Romion	Cannogay	<i>ROLFO</i>
40.	Dominador Lampera	Burak	<i>DOMINADOR</i>
41.	Ronald Calamaya	San V.	<i>RONALD</i>
42.	Edelm Bacal	Telegrafo	<i>EDELM</i>
43.	Eddie Bacal		<i>EDDIE</i>
44.	RAUL CABANTAC	TOLOSA	<i>RAUL</i>
45.	PCMC NSAU PAGRAL	PNP TOLOSA	<i>PCMC</i>
46.	EDUARDO N. CINCO JR	CANTARIWIS	<i>E. CINCO</i>
47.	AIZA AZMENA	CANTARIWIS	<i>AIZA</i>



NAME

ADDRESS

SIGNATURE

	NAME	ADDRESS	SIGNATURE
48.	MARIA ANNA AZUEBENA	OLOT	
49.	ZALDY MARILLA	OLOT	
50.	Rinalyn Centino	OLOT	
51.	BERGILYN R. ORPILLA	OLOT	
52.	ROSSANA C. BARCELONA	OLOT	REBARCELONA
53.	JONJON S. COLACITO	OLOT	
54.	ELIZABETH R. OLIMBERAN	MALBON	
55.	MANNY I. RELONA	CANMUGSAY	
56.	Myma A. Dagami	Cantawiran	
57.	JUDITH CANDELA	QUILAO	
58.	ARLYN M. LATATA	Cantawiran	
59.	Angelita T. Advincula	Burak	
60.	MARY ANN C. MORGADO	QUILAO	
61.	EDDIE PALANIS	SAN VICENTE	
62.	Joseph Candela	San Vicente	
63.	RONIB A. SONGALIA	QUILAO	
64.	Leoncio Aquillo	MALBON	
65.	LESAN CANBOLAN	TANGHAR	
66.	Rael E. Hernandez	BRIGIDA	
67.	EDDIE V. NUEVAS	TELEGRAPPO	
68.	Dioniso Y. Villoman	Burak	
69.	BENITO Villoman	Burak	
70.	Arvin G. Salarda	Quilao	
71.	EVANGELINE P. SONGALIA	QUILAO	
72.	LILIDITH N. DELFIN	QUILAO	
73.	JOEL TEPASE	BRIGIDA	
74.	MARLON TOLIBAS	TANGHAR	
75.	Gilbert P. Guilkante	BRIGIDA	
76.	ELMER G. COSTINARIO	QUILAO	
77.	PALANA MENARD	BURAK	
78.	FALCON JUNIA	SANDOGUE	
79.	Prince Arina Valle	TO	

80.	JOMAR CAMPBELL	TOLOSA	CAMPBELL
81.	Rodrigo Salanda	TOLOSA	
82.	Ritchie Magnavia	Tolosa	
83.	Emilou N. Cayanes	San Vicente	
84.	Picardo P. Zabalza	San Vicente	
85.	Edwin Maceda	Cambayang	
86.	Salvador Añales	Quijao	
87.	Noel Olimberio	Quijao	
88.	Allan Salarda	Burak	
89.	RAFFY NUEVAS	BURAK	
90.	RUIN B ROYERAS	TANGHAS	
91.	ROLANDO SUYOM	BRIGIDA	
92.	RUE B CANDELA	SN VICENTI	
93.	JAMAR N. Cined	SN VICENTE	
94.	ARNEL S BAYOSO	CANTARIWIS	
95.	ELMER A SUYOM	SAN VICENTE	
96.	ERWIN B CANDELA	CANTARIWIS	
97.	J-MARK B PEREZ	BRIGIDA	
98.	JOMAR CANONIGO	SAN Roque	
99.	Jayson Baldoran	Quijao	
100.	Edwin P. Rojas	Cantarinis	Edwin P. Rojas
101.	LED L. SALARDA	SN VICENTE	
102.	ERWIN B. ADVINCULA	BRIGIDA	
103.	JESUS PAGATPATAN	II	
104.	MARION B. SUYOM	Tanghas Pabray	
105.	JEFFREY C. MONTEBA	OLOT	
106.	PAUL IGNACIO	POBLACION	
107.	Luvia C. Nuwas	Bngy. Opong	
108.	NOEL U - PALMERA	Bngy Opong	
109.	Picardo P. Zabalza	San Vicente	
110.	FRANCIS ANGELO A. RWA	QUIJAO	

NAME

ADDRESS

SIGNATURE

Orly I. Caceres

Brig: Camogday

Caceres

FRW C PIZALDO

BRIG: TANGAS

P.P.T.

IMPLIC C. VARDIA

11

JOAN CAWIC

CANTARIWIS

MARK ZALCITA

CANTARIWIS

Johany L. Cubao

Cantariwis

FELICITO D. PELEWAN

MIGUEL M. ADVINCUA

QUILAO

MIGUELITO V. PERMEJO

QUILAO

Norsin Matthew Malate

Quilao

LEONARDO MACABUHA

QUILAO

E. ZABALA JR.

QUILAO

Bena G. Pundarefa

Quilao

CHRISTOPHER R. ADAMONIA

MUNY. QUILAO

Manny MARTINEZ

SB OFFICE

MELANIE FENGA VIVERO

SB

Aquilina Canonigo

San Roque

Virgilio Canonigo Jr

"

Ariel I. Levios

"

JOYCE MHA M. ADVINCUA

"

REGGI INDIC

11

LAZEL CRASPI

BRIGIDA

Handwritten signatures and marks corresponding to the names in the adjacent columns.

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11

OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

EXCERPT FROM THE MINUTES OF THE 66<sup>TH</sup> REGULAR SESSION OF  
THE SANGGUNIANG BAYAN OF TOLOSA, LEYTE HELD AT THE  
SESSION HALL ON NOVEMBER 12, 1999 AT 9:00 A.M.

PRESENT:

Hon. Agapito L. Mendoza, Jr.	-----	Vice Mayor/Presiding Officer
Hon. Erwin C. Ocaña	-----	Sangguniang Bayan Member
Hon. Rodolfo B. Legaspi, Jr.	-----	- do -
Hon. Ana D. Pascua	-----	- do -
Hon. Ildefonso P. Martinez	-----	- do -
Hon. Gloria S. Cerro	-----	- do -
Hon. Nicy P. Echavez	-----	- do -
Hon. Edwin D. Lerios	-----	- do -
Hon. Menardo M. Mate	-----	- do -
Hon. Arturo C. Varona	-----	- do - (ABC Pres.)

RESOLUTION NO. 11-126-99

RESOLUTION ENACTING AN ORDINANCE AMENDING SEC. 8, SEC. 14 OF MUNICIPAL  
ORDINANCE NO. 05 SERIES OF 1996 REGULATING THE ESTABLISHMENT,  
OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING  
AND COMMERCIAL BREEDING OF GAMECOCKS IN  
THE MUNICIPALITY OF TOLOSA, LEYTE.

WHEREAS, upon thorough deliberation and careful review by the Honorable body the said  
Ordinance was found out to be necessary for adoption and approval;

WHEREFORE, on motion of Hon. Varona duly seconded by Hon. Lerios, be it;

RESOLVED, as it is hereby resolved to adopt Ordinance No. 06 Series of 1999;

ORDINANCE NO. 06  
Series of 1999

AN ORDINANCE AMENDING SEC. 8, SEC. 14 OF MUNICIPAL ORDINANCE NO. 05  
SERIES OF 1996 REGULATING THE ESTABLISHMENT, OPERATION AND  
MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL  
BREEDING OF GAMECOCKS IN THE MUN. OF TOLOSA.

BE IT ORDAINED by the Sangguniang Bayan of Tolosa, Leyte assembled in its regular  
session that:

SECTION 1. TITLE - This Ordinance shall be known and cited as COCKFIGHTING  
ORDINANCE of Tolosa, Leyte.

SECTION 2. SCOPE - This Ordinance shall govern the establishment, operation,  
maintenance, and ownership of cockpits, and commercial breeding of gamecocks in Tolosa, Leyte.

SECTION 3. DECLARATION OF POLICY - It is hereby declared a policy of the Municipal  
Government of Tolosa, Leyte to carry on the following goals and objectives in the development of  
wholesome recreation, relaxation, and entertainment among us Filipinos, to wit:

- 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;

*[Handwritten signatures and notes on the left margin, including names like 'Agapito L. Mendoza, Jr.', 'Erwin C. Ocaña', 'Rodolfo B. Legaspi, Jr.', 'Ana D. Pascua', 'Ildefonso P. Martinez', 'Gloria S. Cerro', 'Nicy P. Echavez', 'Edwin D. Lerios', 'Menardo M. Mate', 'Arturo C. Varona', and 'Dumy Niay v. P. Schar']*

- c) To preserve and perpetuate cockfighting as a traditional and customary form of recreation and entertainment among Filipinos; and,
- d) To generate additional revenue for the Municipality of Tolosa.

SECTION 4. DEFINITION OF TERMS - As used herein, the following terms shall be understood, applied and continued as follows:

- a) "AMUSEMENT" - Is a pleasurable diversion and entertainment. It is a synonymous to relaxation, avocation, pastime, or fun;
- b) "AMUSEMENT PLACES" - A place of amusement where one seeks admission to entertain oneself by participating with the use of money, and seeing or viewing cockfighting performance.
- c) RECEIPT - A written acknowledgement of something received from admission for amusement.
- d) COCKPIT - ("GALLERA" OR "BOLANGAN") - A properly enclosed or fenced premises or compound provided with one or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting derby, pintakasi, tupada or its equivalent terms in different Philippine localities.
- e) COCKFIGHTING ("SABONG" or "BOLANG") - Shall embrace, and mean the commonly known game or term "COCKFIGHTING DERBY, PINTAKASI OR TUPADA", or its equivalent terms in different Philippine localities, especially in the Municipality of Tolosa, Leyte.
- f) 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 distributes won bets to the winners after deducting a certain commission.
- g) GAFFER ("TAGA TARI" or "TAGA TADI") - A person knowledgeable in technique of arming fighting cocks with gaff or gaffs either or both legs.
- h) STARTER ("SOLTADOR") - A person who personally takes physical custody and control, inside the arena of a betted gamecock, and actually releases the same for actual fight or combat.
- i) REFEREE ("SENTENCIADOR") - A person who watches and oversees the proper gaffing of fighting cocks while cockfighting is in progress, the injuries sustained by the cocks, and their capability to continue fighting, and make his decision by announcing the winner or declaring a tie or no contest game.
- j) BETTOR - A person who participates in cockfights and with the use of money bets with other bettors or through the bet takers or promoters and win or loss his bets depending upon the result of the cockfight as announced by the referees or sentenciador. He may be the owner of fighting cock.
- k) PIT MANAGER - A person who professionally, regularly and habitually manages a cockpit and cockfights therein.
- l) BET SOLICITOR - person/ persons who call for bets with other bettors or bet takers for a commission at the end of the day from one or more patrons.
- m) BET FIXER ("KASADOR") - 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.

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- Top: "Tolosa" with a signature.  
- Middle: "Hayo V. P. Sison" with a signature.  
- Bottom: "Juny" with a signature.

- n) BREEDER – A person engaged in gamefowl breeding or propagation for personal or commercial purposes for eventual use in cockfighting.
- o) PROMOTER – A person licensed by the Mayor in the convening, meeting, holding and celebrating a regular or special programmed and arranged cockfighting like local and international derbies or competitions.
- p) COCKPIT OPERATOR'S PERMIT – Document issued to a qualified person granting him a license to operate, establish, and maintain a cockpit in the place specified therein.
- q) SPECIAL COCKFIGHTING PERMIT – A permit issued by the Municipal 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, and with the concurrence of the Sangguniang Bayan.
- r) GAMECOCKS – refers to domesticated fowls, whether imported or locally bred, as well as the native fighting cocks, trained and conditioned for actual cockfighting.
- s) ZONE ORDINANCE – Either or both national or local city or municipal legislation which logically arranges, prescribes, defines and apportions a given political subdivision into specific land use as present and future projection of needs warrant.

SECTION 5. OWNERSHIP – Only Filipino Citizens preferably bonafide residents or Tolosa, Leyte and partnerships or corporations with at least 60 per centum of the capital stock wholly owned by Filipinos are qualified to own, manage and operate cockpits. Provided, that, cooperative capitalization shall be encouraged. Provided, however, only cooperatives acknowledged and accredited by Sangguniang Bayan can avail of this provision.

SECTION 6. SITE AND CONSTRUCTION OF COCKPITS

- a) Cockpits shall be established, maintained and operated only in specific areas or places as the Sangguniang Bayan may designate by means of a resolution upon application filed by qualified persons thereat. To construct, establish, maintain and operate of cockpits shall be regulated at the ratio of one (1) cockpit for every 100,000 population or a fraction thereof.
- b) No cockpit shall be established, maintained and/or operated within a radius of two hundred (200) lineal meters from any existing residential or commercial area, hospital, school building, and/or public building, churches, chapels, athletic stadia, or any institution or building of charity.

SECTION 7. APPROVAL AND ISSUANCE OF BUILDING PERMIT FOR THE CONSTRUCTION OF COCKPITS. The Municipal Engineer, in accordance with existing building code, ordinance or engineering laws and practices shall do the Approval and issuance of Building Permit for the construction of cockpits.

In addition, the applicant must submit and comply with the following requirements, to wit:

- a) Vicinity map:
- b) Cockpit complex plan and design, conformably with the following condition:
  1. Cockpits should be constructed of strong materials, strong foundation and galvanized roofing, and the perimeter thereof should be properly fenced;
  2. Cockpits should have spacious ringside arena with an accommodation of at least 300 people, bleachers which can accommodate at least 1,000 people;
  3. Arena should have enough space sturdy fenced with iron grill and with glass panels and should be provided with ample lighting for night bouts visibility;

*Handwritten signatures and notes on the left margin:*  
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 Vertical text: King, V.P. Shaw

4. It should be provided with:

- 2 cockhouses to house at least 50 fighting cocks;
  - 2 comfort rooms for male and female guest and should be properly maintained to ensure sanitation of the premises;
  - 3 electric fans or air-conditioning units to maintain a well-ventilated accommodation;
  - 2 emergency generators, and fire fighting equipment.
- c) Provision for cockpit security of duly licensed security guard and uniformed PNP personnel from the municipality.

SECTION 8. PLACE AND TIME OF HOLDING COCKFIGHT IN LICENSED COCKPIT STARTS AT 1:00 P.M.

- a) Regular – Regular cockfight shall be held on Tuesdays & Sundays.
- b) Special – Special cockfights are allowed upon obtaining a special permit from the Municipal Mayor with the concurrence of the Sangguniang Bayan & upon payment at the Treasurer's Office of special fees. Provided that none of the above cockfights shall be held on January 1, New Year's Day, June 12, Independence Day, November 30, Bonifacio Day, December 25, Christmas Day, Holy Thursday, Good Friday, Election Day, Referendum Day, & during registration days for such election & referendum day & on such other days specially prohibited by law to hold cockfights.

SECTION 9. OTHER GAMBLING GAMES PROHIBITED – 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 leasee of such cockpit and the violators of this injunction shall be criminally liable under Section 19 hereof.

SECTION 10. LICENSING OF COCKPITS – The Municipal Mayor or his duly authorized representative may issue a license to establish, operate or maintain cockpit upon satisfactory proof that the applicant is qualified and complied with the requirements of this Ordinance specifically Section 6 and 7 hereof, and upon payment of One Thousand Pesos (P1,000.00), renewable annually. The license shall be known as "Cockpit Operator's Permit".

The license is strictly personal to the licensee, hence, non-transferable. In the event that the licensee alienates the cockpit to a third person, the letter should first secure the necessary license before he commences to operate the cockpit.

SECTION 11. BUSINESS TAX – The licensee or grantee of a Cockpit's Operators Permit shall pay a graduated annual business tax at the rate of two percent (2%) of gross receipts of the preceding calendar year.

The total graduated tax realized in a year shall be appropriated into four (4) quarterly installment basis, payable within the first twenty (20) days every calendar quarter, otherwise, he shall be subjected 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.

SECTION 12. RETIREMENT OF BUSINESS – 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 Municipal Treasurer of Tolosa, Leyte of such cessation, and submit a sworn statement of its gross receipts for the current year. If the tax paid during the year be less than the tax due on said gross receipts of the current year, the difference shall be paid before the business concerned officially retires.

SECTION 13. BOOK OF ACCOUNTS AND RECORD KEEPING - For the purpose of the last two (2) preceding Sections, the grantee of a Cockpit's Operators Permit is required to keep the proper book of accounts and records in connection with their operation. The Municipal Treasurer or its duly authorized representative shall have the power to inspect at all times said book of accounts and records.

SECTION 14. OTHER FEES & SPECIAL FEES FOR A LICENSED COCKPIT - In addition, the following fees shall likewise be collected:

- a) Annual Mayor's Permit ----- P2,000.00
- b) Pintakasi per day ----- 500.00
- c) Municipal Derby per day ----- 1,500.00
- d) Regular per day ----- 200.00
- e) For Sultadas:
  - 1.) Derby ----- P30.00/ sultada
  - 2.) Pintakasi ----- P15.00/ sultada
  - 3.) Ordinary ----- P10.00/ sultada
- f) Carnival or exposition ----- No fees shall be collected
- g) For fund raising to support a fund raising campaign for charitable purposes not exceeding 2 consecutive days - no fees shall be collected as long as it is for fund raising campaign.
- h) For entertainment of Balikbayan - Tolosanos who are coming home to Tolosa for enjoyment & entertainment ----- 500.00

SECTION 15. PERMIT REQUIRED FOR SPECIAL COCKFIGHTS

- a) No special cockfights shall be allowed unless authorized by a special permit from the Office of the Mayor, with the concurrence of the Sangguniang Bayan. Application for such special permit shall be filed with the Office of the Mayor at least Thirty (30) days before the event.
- b) Every application shall be signed by the owner/operator or licensee of the cockpit where such special cockfights are to be held and countersigned by the promoter or a representative of the beneficiary and to be supported with the necessary documents, such as:
  - 1) A copy of proclamation authorizing the fund raising campaign and specifying its purpose; and
  - 2) A letter-request of the beneficiary to the cockpit owner, operator or licensee to hold special cockfights in a particular cockpit.

Section 16. FEES ON COCKFIGHTING OFFICIALS - The herein below named cockfighting officials, shall not act as such in any cockpit or in any cockfight with special Cockfighting Permit without securing license, renewable every 21<sup>st</sup> day of January of each year, from the Municipal Mayor, and upon payment to the Municipal Treasurer of the annual fees, to wit:

- a) Pit Manager ----- P200.00
- b) Promoter or Bet Taker ----- P200.00
- c) Match Maker ----- P 50.00
- d) Bet Fixer (Kasador) ----- P100.00
- e) Referee ----- P200.00
- f) Gaffer ----- P100.00
- g) Bet Solicitor ----- P200.00

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

Section 17. COCKFIGHTING RULES AND REGULATIONS - All persons maintaining, operating or conducting any cockpit or any person directly or indirectly participating in the cockfights shall abide and obey the following rules and regulations of cockfighting as herein before 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, nor in any way hamper the referee while a cockfight is in progress, especially when the referee is in the act 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 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 that before the cocks are ordered released to fight, their gaffs are genuine, placed in the correct position and in the right angle and is properly stringed;
  - c) To see to it that the contending cocks are in good physical condition by holding the cocks one after another at a reasonable height from the ground and releasing them so that they may alight freely to ensure that none of the cocks has been fixed ("tiyope"), 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. 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 of the referee, and 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 from 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.

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*Elly*  
*Dumy Mary V. P. Chan*  
*[Signature]*

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

Rule 10. The starters shall not take back their respective cocks after releasing them to fight, except when go ordered by the referee or when their respective cocks pack 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 loss 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 duties are to take possession of the matched money from the starters of owners of the two contending cocks before the fight and to deliver the money to the corresponding winners after the fight and after deducting the participating 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 the cockpits with the assistance of peace officers has the right and power to oust or 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 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 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 touched even if it breaks or drops down or it's loosened from the leg.

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- Below: "EJ" (signature)  
- Below: "Casador" (signature)  
- Below: "Dumy" (signature)  
- Below: "Miguel P. Chan" (signature)  
- Bottom: "Belle" (signature)

Rule 19. The referees 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 gaffs of any fighting cock get 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 packing or shuffling.

Rule 20. Only five (5) persons shall remain in the ring when the two contending cocks are released to fight, namely: the referee, assistant referee, two starters, and any other employee. Provided, that when 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 regards 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 forthwith 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 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 cackle or give signs that it is giving-up the fight, it should be left undisturbed until it cackles and shows signs that it refuses to fight some more.

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 court must be made public. For this purpose, the management shall provide a timepiece 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 pursue its adversary in the ring stops in its pursuit or departs from its course and fight is not resumed 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;

*Bl Anderson*

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*Henry Tracy W. Shaw*

- e) when one of the fighting cocks attacks the other and cannot pull off its gaff from its adversary;
- f) when one of the cocks falls on top of the other and remains in such position or any case when two cocks are close to each other and are unable to make any movements to attack each other; and,
- 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 a flight with its feathers near its head raised (namamarat) as an indication of giving up the fights, the said cock shall be deemed to have lost although it can still walk 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 if the fleeing cock stops, and shows signs to fight back, 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 ("Tosik") and one shuffle ("pika") the referee shall declare the fight a draw.

Rule 30. When both cocks are seriously wounded and after confrontation 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 confronting 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 attack 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 of 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 on 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, hereto.

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 injured leg or broken wing or to any wound; or,
- c) when it does so because of its having been pecked by its adversary.

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*Jimmy King V.P. Suban*

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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, continue on the same condition.

Rule 34. When one of the cock 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 away from it, confrontation shall be effected by the referee after pulling out the gaff at the wounded area.

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 cackle 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 dies simultaneously;
- b) 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.
- c) when one of the cocks flees from the other which is in the act of dying and no longer pecks or shuffle;
- d) when one of the cocks jumps out of the railing of the ring after the first attack or its adversary, and is not wounded;
- e) when both cocks refuse to peck unto each other before the start of any fight on 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. The loser loses not only his 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 18. COMMERCIAL BREEDING OF FIGHTING COCKS - Any person engaged in commercial breeding of fighting cocks shall secure a license, and pay an annual fee of P50.00 to the Municipal Treasurer, which shall be paid within the first twenty (20) days of January of every year, otherwise, he shall be subjected to a surcharge of 25% percent thereof, and to an interest of 2% percent per month of the unpaid fee, including the surcharge, until such

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*Junby May V. R. Caban*

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amount is fully paid but in no case shall the total interest on the unpaid amount or portion thereof, exceeds thirty six (36) 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 19. 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 Section 22, to wit:

- a) Any person conducting, engaging or holding a cockfight in a cockpit or place without a valid Cockpit Operators Permit or Special Cockfighting Permit;
- 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 (PROMOTERS) in any cockfight without first securing and paying the current license fee as referee, gaffer, bet-takers (promoters) in cockfighting.
- d) Owners, Operators, Managers of cockpit who hire, employ, utilize persons as Referee, Gaffer, Bet-Takers (PROMOTERS) or Starters, in a cockfight, if those persons do not have the required license to act as such.
- e) Any person who allows promoters or participants in any arrangements, 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 cockfighting official, aside from suffering the penalty provided for in Section 22 hereon, he shall also be perpetually disqualified from acting as cockfighting officials in any cockpit or cockfighting.

Section 20. UPDATE OF COCKPIT OPERATION – Upon the effectivity of this ordinance, before any person can engage any activity defined in this ordinance which requires license, must secure the necessary requirement and apply in the Municipality of Tolosa, Leyte. Provided, however, that a current license issued by the municipality to any licensee shall remain valid until its expiry date.

Section 21. ENTRANCE FEE OF EXECUTIVE, AND LEGISLATIVE PERSONNEL FOR FREE. Personnel from the Executive, and Legislative Body are not required to pay entrance fee if the purpose of which is to observe how the cockpit is managed and if the basis is in aid of legislation.

Section 22. PENAL PROVISION – Any person found guilty of violating any provision of this ordinance shall be liable to a fine of not less than Five Hundred (500.00) Pesos nor more than Two Thousand (2,000.00) Pesos, or to an imprisonment of not less than one (1) month, nor more than Five (5) 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 23. REPEALING CLAUSE – All existing ordinances inconsistent with the provisions of this ordinance are hereby considered repealed.

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Section 24. POSTING - Upon approval of this ordinance, copies thereof shall be posted in at least two (2) conspicuous and publicly accessible places for a period of three (3) consecutive weeks.

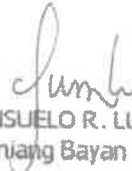
Section 25. EFFECTIVITY - This ordinance shall take effect twenty-one (21) days after copies hereof have been posted at prominent places in the municipal hall and public market.


ENACTED: November 12, 1999.

I HEREBY CERTIFY to the correctness of the foregoing Resolution No. 11-126-99 embodying Ordinance No. 06 Series of 1999 in the regular session of the Sangguniang Bayan of Tolosa, Leyte on November 12, 1999.

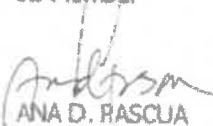
  
AGAPITO L. MENDOZA, JR.  
Vice Mayor/ Presiding Officer

ATTESTED:

  
CONSUELO R. LUMBRE  
Sangguniang Bayan Secretary

  
ERWIN C. OCAÑA  
SB Member

  
RODOLFO B. LEGASPI, JR.  
SB Member

  
ANA D. PASCLUA  
SB Member

  
ILDEFONSO P. MARTINEZ  
SB Member

GLORIA S. CERRO  
SB Member

  
NIC P. ECHAVEZ  
SB Member

  
EDWIN D. LERTIOS  
SB Member

  
MENARDO M. MATE  
SB Member

  
ARTURO C. VARONA  
SB Member (ABC Pres.)

APPROVED:

  
EDILBERTO J. ZABALA  
Municipal Mayor

[lar] 11-16-99