REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniangbayancarigara@gmail.com

Item No.: 13
Date: 16 2026 JUN

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 11 2026
By:

PETITION FOR REVIEW FILED BY PATRICK V. MAKABENTA ON MUNICIPAL ORDINANCE 2026-054 s. 2026 OF THE MUNICIPALITY OF CARIGARA, LEYTE

MANIFESTATION AND COMMENT

The SANGGUNIANG BAYAN OF CARIGARA, LEYTE, through the Chairperson of the Committee on Rules, respectfully submits this Manifestation and Comment in response to the petition for review filed by Mr. Patrick V. Makabenta, asserting that Municipal Ordinance No. 2026-054 is valid, constitutional, and fully *intra vires*.

STATEMENT OF THE CASE

The Respondent Sangguniang Bayan passed Municipal Ordinance No. 2026-054. s. 2026, revoking the cockpit franchise granted previously to Petitioner, Mr. Patrick V. Makabenta. This legislative action was carried out pursuant to Section 7 of Municipal Ordinance No. 2022-133, the ordinance granting the franchise to the Petitioner which explicitly mandates the automatic revocation of said franchise upon showing of non-compliance with its terms, and for violation of the provisions of Presidential Decree 449 and other pertinent Ordinances, Rules and Regulations.

The Petitioner sought the review from the Honorable Sangguniang Panlalawigan, erroneously arguing that the revocation ordinance constitutes *ultra vires* act and an overextension of legislative authority.

ARGUMENTS AND LEGAL BASES

I. THE RESPONDENT SANGGUNIANG BAYAN POSSESSES CLEAR, EXPLICIT SUBSTANTIVE AUTHORITY TO REGULATE AND REVOKE COCKPIT FRANCHISES.

The assertion that the Respondent Sangguniang Bayan acted *ultra vires* is completely without merit under the law:

1. **Explicit Statutory Power**. Section 447(a)(3)(v) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, explicitly empowers the Sangguniang Bayan to:

DANIEL V. ARIASO — SB Member - SK Federation President
ARVIN N. URMENETA — SB Member - LnB President
GUILLERMO I. PANAL — SB Member
AVILA L. AGUILAR — SB Member
JOENLEE C. LARRAGA — SB Member
ULPIANO U. ARPON, JR. — SB Member
CARLO ANGELO B. GO — SB Member
MILDRED C. MODESTO — SB Member
VILMA M. DOMUS — SB Member (Vacation Leave)
FERNANDO N. MORIEL — SB Member
JIMMY A. CAMPOSANO — Municipal Vice Mayor

Digitally signed by Modesto Mildred Contapay

"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"

2. **The Power to Grant Involves the Power to Revoke**. It is an established principle in administrative and municipal law that the power to issue a license, privilege, or franchise inherently carries with it the corresponding power to revoke, rescind, or cancel the same when the conditions under which it was granted have been breached. A franchise is not a vested property right, but a mere privilege subject to the regulatory and police power of the state and local government units (G.R. No. 175042, Du vs. Jayoma, April 23, 2012).

3. **Contractual and Regulatory Estoppel**. The Petitioner voluntarily applied for, accepted, and operated under the terms of the Municipal Franchise Ordinance. Having enjoyed the privileges of the franchise, the Petitioner is now estopped from challenging the validity of Section 7 (the Revocation Clause) simply because its enforcement has been triggered by his own non-compliance.

> "*Section 7. Revocation Clause. The franchise including the complimenting business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinance, rules or regulations.*"

Section 7 of Municipal Ordinance No. 2022-133 is not a Penalty Clause as the Petitioner pointed out, it is a **contractual condition** of the franchise when it was granted which the Petitioner, at that time, voluntarily consented to upon acceptance of the Franchise Grant knowing fully well that a violation will result in automatic revocation of the franchise.

II. PETITIONER WAS AFFORDED MEANINGFUL DUE PROCESS

While Section 7 of the Franchise Ordinance permits "automatic" revocation, the Respondent Sangguniang Bayan did not act arbitrarily or whimsically. The Respondent Sangguniang Bayan meticulously conducted a rigorous, factual, and deliberate six-month-long legislative inquiry to guarantee that the operator's right to administrative due process was fully protected, even when it was not necessarily needed in the exercise of the law:

> The Supreme Court stated that, "*it is well enshrined in our jurisprudence that "a license authorizing the operation and exploitation of a cockpit is not a property of which the holder may be deprived without due process of law, but a mere privilege*

DANIEL N. ARJASO SB Member - SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
FERNANDO N. MORIEL SB Member
SHEILA CAMPOSANO Municipal Vice Mayor

that may be revoked when public interests so require." (G.R. No. 175042, Du vs. Jayoma, April 23, 2012).

To aid the Honorable Sangguniang Panlalawigan in its review, the chronological milestones of this thorough inquiry are outlined below:

DATE OF ACTION	REFERENCE	PURPOSE AND OUTCOME OF PROCEEDINGS
September 8, 2025	Resolution	Denying the resetting of the scheduled cockfighting activity of Barangays Ponong, Guindapunan East and Barugohay Sur for failure of the aforementioned barangays to justify the Resetting.
	Resolution No. 2025-112	A Resolution Granting the Withdrawal/ Cancellation of the Scheduled 3-Stag Derby, No Pocket Money, Bayad Agad 45k on September 5, 2025.
	Resolution No. 2025-114	A Resolution Reiterating the Use of the Traditional Mode of In-Person Betting as Provided in the Municipal Revised Cockfighting Ordinance
	Images	Hon. Myla Aguilar showed pictures of on-going machine-betting where there were 25 laptops used

DANIEL N. ABASO SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS SB Member (Vacation Leave)
FERNANDO N. MORIEL SB Member
JAMES CAMPOSANO Municipal Vice Mayor

Digitally signed by Modesto Mildred Contapay

		and the LGU does not have the facility to track income.
October 15, 2025	Appearance of Mr. Patrick Makabenta in the SB Session	Page 59 Journal October 15, 2025 – Admission of Mr. Patrick Makabenta that another individual is managing the cockpit.
October 17, 2025	Canggara Amusement Center (CAC) Management Team wrote a letter addressed to the Mayor thru the Sangguniang Bayan signed by Investors-Operators (with designations) stamped received in the Office of the Mayor October 17, 2025, 1:05pm	Paragraph 2 of their letter states: "*The members of CAC humbly seek the indulgence of the Honorable Body to be given an opportunity to present and clarify our position regarding the implementation of the said Resolution. This initiative is being undertaken collectively by the management team of CAC, as the **acting owner of the establishment** has **ceased** to cooperate in matters essential to the **organization's** welfare and compliance with existing municipal regulations.*" Reply and Justification to Resolution 2025-114

Petitioner also admitted in Page 59 of the Journal of October 15, 2025 that Mr. Seloy Guia as "*nagpapadalagan*" or operating the cockpit.

DANIEL N. ARIASO SB Member - SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
Digitally signed by Modesto Mildred Contapay
(Vacation Leave)
VILMA M. DOMUS SB Member
FERNANDO N. MORIEL SB Member
JIMMY L. CAMPOSANO Municipal Vice Mayor

This substantiates the claim of CAC Management Team/Investors in their letter to the Mayor dated October 17, 2025 referring to Petitioner as "acting owner".

When the CAC Management Team/Investors, in another letter also dated October 17, 2025, took upon themselves to answer concerns related to the cockpit operation which supposedly was an inherent responsibility that rests upon the Petitioner when he received the Franchise Grant, the CAC Management Team/Investors crossed the line from passive financial backers or merely "assisting" in the operation of the cockpit to beneficial owners or managers.

Allowing a separate management team to run essential day-to-day operations strips the Petitioner of actual control, effectively rendering him a franchisee in name only, and creating an impermissible mismatch between the statutory grantee and the *de facto* operator.

In the context of regulated local cockpit franchise, this setup violates the franchise grant on three distinct legal grounds:

(a) It violates the "Personal and Non-Transferable" nature of the franchise.

A cockpit franchise is a special privilege granted *intuitu personae* – meaning it is awarded based specifically on the personal qualifications, financial capacity, moral fitness, and background of the individual applicant.

When the individual franchise holder allows a separate management team to control the essential operations, the Petitioner effectively transferred or assigned the privilege without the explicit approval of the Sangguniang Bayan.

The moment the actual operation is divorced from the person named in the ordinance, the franchise holder fails to fulfill the condition of the grant, triggering the revocation clause.

(b) It constitutes a "Dummy" Arrangement

Under the Philippine jurisprudence, a "dummy relationship" is proven when:

i. The person who holds the license or franchise does not exercise real, independent managerial control over the business.
ii. The essential decision, financial operations, and risk management are handled entirely by an unfranchised entity.

DANIEL N. ARIASO SB Member - SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
FERNANDO N. MORIEL SB Member
JIMMY L. COMPOSANO Municipal Vice Mayor

Digitally signed by Modesto Mildred Cortappy

By allowing a management team to run the essential operations, the Petitioner permitted his public privilege to be exploited by a third party reducing him to a "naked franchisee" or "franchisee in name only".

(c) It breaches the Terms of Local Regulation and Accountability

A third party was not just "helping" run the cockpit, but, the CAC Management Team/Investors took over essential operations of the cockpit.

It is observed in the Petition filed by Petitioner that he is confusing an administrative finding with a criminal conviction. The Respondent Sangguniang Bayan did not sentence the Petitioner to prison or fine him, that would be *ultra vires*. Instead, when it received the letters from the CAC Management Team/Investors it discovered a "dummy" setup.

Administrative bodies have full authority to determine whether a grantee is acting in good faith. When the Petitioner used deception, the Respondent Sangguniang Bayan was legally obligated to act to protect public interest. When the Respondent Sangguniang Bayan revoked the franchise to stop the illegal practice, it wasn't overstepping or "overextending" its boundaries, it was simply executing its mandatory duty under the law.

DATE OF ACTION	REFERENCE	PURPOSE AND OUTCOME OF PROCEEDINGS
October 17, 2025	Second Letter addressed to the same August Body was received from the CAC Management Team	Reply and Justification to Resolution No. 2025-114
September 30, 2025	Mayor's Permit 2025-53	The Mayor's Permit always includes a clause enforcing Resolution No. 2025-114 reiterating the use of the traditional mode of in-person betting as provided in the municipal revised

JIMMY C. CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member (Vacation Leave)
VILMA M. DOMUS, SB Member
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. RIJASO, SB Member - SK Federation President

cockfighting
ordinance.

The Petitioner willfully defied local legislation and Executive Orders by deliberately continuing to utilize technology-based betting machines. The Petitioner operated in open and willful defiance of local regulatory authorities despite the explicit issuance of SB Resolution No. 2025-114 and the clear insertion of a restrictive clause in the Mayor's Permit limiting operations to 'in-person betting only'.

Paragraph 2 of Presidential Decree 449 states -

> *"WHEREAS, by reason of the aforestated meaning and connotation of cockfighting in relation to Filipino customs and traditions, it 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."*

PD 449 defines cockfighting as a "traditional" and "customary" activity. Traditional betting involves the *Cristo* and oral/hand-signal wagering. By introducing technology-based betting, the Petitioner introduced a new species of gambling not contemplated by the law. This transformed the traditional cultural event into an automated gambling operation, which was a clear "non-compliance" with the "traditional" nature of the privilege granted under the law.

Moreover, PD 449 also states –

> *"Section 5(f) Other games during cockfights prescribed. No gambling of any kind shall be permitted on the premises of the cockpit or place of cockfighting during cockfights. The owner, manager or lessee of such cockpit and the violators of this injunction shall be criminally liable under Section 8 hereof".*

Under the doctrine of strict construction, only the "traditional" methods defined in PD 449 are authorized. The introduction of automated or electronic betting systems creates a new form of gambling, distinct from traditional cockfighting, thereby violating the conditions of the franchise and the national law.

More importantly, a franchise is a specific grant of authority, the Petitioner cannot unilaterally expand the scope of the franchise to include modern electronic betting systems without an **amendatory ordinance** from the Respondent Sangguniang Bayan. The continued use of technology-based betting machines was an unauthorized operation. It constitutes a material breach of the conditions of the Petitioner's business privilege and manifests a flagrant disregard for

DANIEL N. ARIASO SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
FERNANDO N. MORIEL SB Member
DANILO A. CABOSANO Municipal Vice Mayor

both the local legislative enactment (SB Resolution) and, the executive mandate (Mayor's Permit).

DATE OF ACTION	REFERENCE	PURPOSE AND OUTCOME OF PROCEEDINGS
October 27, 2025	Committee Meeting	Cancelled – letter attached from Mr. Guia
November 14, 2025	Committee Meeting	Meeting relative to Resolution No. 2025-114 and other related matters Appearance of Mr. Patrick Makabenta, Joselu Guia and Rachelyn Silvestre Inclusion of the discussion of the letter from the Canggara Management Team
November 19, 2025	Regular Session	Continuation of the Deliberation relative to the Committee Meeting held November 14, 2025
November 26, 2025	Regular Session	Rendered Committee Report No. 2025-06 (Committee Meeting dated November 14, 2025)
	Resolution No. 2025-268	A Resolution Directing Mr. Patrick Makabenta a Final Show-Cause Order within Ten (10) Calendar Days Why His Franchise should Not be Subjected to

JIMMY A. CADIZ OSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

		Further Sanctions or An Appropriate Legislative Measures
December 17, 2025	Letter from Mr. Patrick V. Makabenta	Request to hold Cockfighting Activities on December 22, 23, 24, 25 and 29, 2025 for the entertainment of tourists and to boost local economy.
	Resolution No. 2025-312	A Resolution Denying the Request of Mr. Patrick V. Makabenta to Hold Five (5) Days Pintakasi on December 22, 23, 24, 27 and 29, 2025 at Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte for the Entertainment of Tourists and to Boost Local Economy at Canggara Amusement Center, Barangay Parag-um, Carigara, Leyte Due To The Pendency of a Show-Cause Order Relative to the Regulation of Gallera Operations and for Being Inconsistent with the Provision of PD 449".

SB Resolution No. 2025-312 denying the request to hold cockfighting activities in December 22, 23, 24, 27 and 29, 2025 was a legitimate suspension. The interim measure of denying or suspending cockfighting activities, regardless of whether the dates fall on a Sunday or a legal holiday, was within the regulatory authority of the Sangguniang Bayan to ensure the integrity of the franchise while the Show-Cause Order was pending.

JIMMY A. CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIELN. ARIASO, SB Member - SK Federation President

Besides, the request is statutorily impossible for the Respondent Sangguniang Bayan to grant since PD 449 strictly caps special cockfights for tourists, *balikbayans*, or charitable fund-raising only once, for a period of three (3) days within a year. Section 5(e) of Presidential Decree 449 states:

> *"Cockfighting for Entertainment of Tourists or for Charitable Purposes. Subject to the preceding subsection hereof, the Chief Constabulary of his authorized representative may also allow the holding of cockfighting for the entertainment of foreign dignitaries or for tourists, or for returning Filipinos, commonly known as "Balikbayan", or for the support of national fund-raising campaigns for charitable purposes as may be authorized by the Office of the President, upon resolution of a provincial board, city or municipal council, in licensed cockpits, or in playgrounds or parks. Provided, that this privilege shall be extended for* ***only one time, for a period of three days, within a year to a province, city or municipality.***

The Petitioner's conduct was a clear demonstration of bad faith and regulatory non-compliance. By holding cockfighting events on dates specifically denied by the Respondent Sangguniang Bayan, the Petitioner engaged in unauthorized and unlawful operations. Petitioner's personal admission of operating without authority on prohibited dates was duly recorded in the Respondent Sangguniang Bayan Committee of the Whole Meeting's Journal dated January 27, 2026.

This willful defiance was further compounded by the fact that the Petitioner staged a derby without the indispensable Special Permit required under Section 6 of Municipal Ordinance No. 2022-133. Staging a derby outside the bounds of local legislative approval strips the operation of its legal protection and warrants the immediate invocation of the ordinance's revocation clause.

DATE OF ACTION	REFERENCE	PURPOSE AND OUTCOME OF PROCEEDINGS
January 19, 2026	CAC Letter dated January 12, 2026	Written Explanation to SB in compliance with Final Show-Cause Order on SB Resolution No. 2025-268.

DANIEL N. ARJASO SB Member - SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS SB Member (Vacation Leave)
FERNANDO N. MORIEL SB Member
JESSYA G. IMPOSANO Municipal Vice Mayor

January 27, 2026	Committee Meeting	Meeting Held to deliberate on the written explanation submitted by CAC to the Final Show-Cause Order issued under SB Resolution No. 2025-268
February 2, 2026	Committee Meeting	Rendered Committee Report No. 2026-08 (Committee Meeting held January 27, 2026)
	Resolution No. 2026-039B	Resolution to issue Second Show-Cause Order
February 9, 2026	Regular Session	Privilege Speech of Hon. Fernando Moriel - A Matter of Institutional Integrity: Upholding Established Procedural Regulations
February 26, 2026	Regular Session Letter from CAC	Written Explanation in compliance with the Show-Cause Resolution (SB Resolution No. 2026-039B).
March 2, 2026	Regular Session	Deliberation on the Written Explanation of Mr. Makabenta in Compliance with the 2nd Show-Cause Order (Resolution No. 2026-039B)
	Resolution No. 2026-102	A Resolution Declaring that the Cockfighting Franchise Holder, Mr. Patrick Makabenta, Has Committed

JIMMY A. GALDOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

		Violations and Non-Compliance with the Provisions of Municipal Ordinance No. 2022-133, Relevant Municipal Ordinances Regulating Cockfighting, and Presidential Decree 449 (Cockfighting Law of 1974)
March 10, 2026	Regular Session Resolution No. 2026-110	Passed a Resolution Imposing a Thirty-Day (30) Suspension on the Cockfighting Operations of Canggara Amusement Center located at Barangay Parag-um, Carigara, Leyte for Deliberate and Continued Defiance of Sangguniang Bayan Resolution No. 2025-114 " Reiterating the Use of the Traditional Mode of In-Person Betting as Provided in the Municipal Revised Cockfighting Ordinance, and the Memorandum Order of the Municipal Mayor Directing Strict Compliance Therewith".
	Resolution No. 2026-111	Passed a Resolution No. 2026-111 "A Resolution Urging Hon. Carlo Angelo B. Go, Chairman of the Committee of Games and Amusement and

JAMES C. APOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

Franchise to Conclude the Exercise of Due Process in Reference to Committee's Findings of the Cockfighting Activities at Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte and Come Out with Specific Violations and Non-Compliance with Municipal Ordinances and other Pertinent Laws in Relation to the Existing Resolutions of the Sangguniang Bayan Members Confirming the Existing Violations and Non-Compliance of Municipal Ordinance No. 2022-133.

The Petitioner's reply dated February 26, 2026 to the Show-Cause Order stated in Item 3 that:

> *"No "Automatic Revocation" Under Section 17 – Graduated Penalties Control*
>
> *The argument that Section 17 of Ordinance No. 2022-133 authorizes automatic revocation for any violation is erroneous. This misreads the ordinance's integrated penalty structure.*
>
> *The Cockfighting Ordinance established CLEAR GRADUATED PENALTIES:*
>
> *Section 15. PENALTIES*
>
> *First Offense: P2,500.00 or 10 days imprisonment, or both*
> *Second Offense: P5,000.00 of 20 days imprisonment, or both*
> *Third Offense: REVOCATION of franchise*

JESSICA CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
NYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARASO, SB Member - SK Federation President

For clarity, there is no Section 17 under Municipal Ordinance No. 2022-133. The Revocation Clause is provided in Section 7 of the said ordinance.

Furthermore, attempting to "re-legislate" Section 15 to include graduated penalties (1st, 2nd and 3rd offenses), the Petitioner was trying to delay the automatic revocation by claiming that he was only due for a fine.

Section 15, Penalty Clause is under Municipal Ordinance 05 s. 2008 and is not a graduated penalty. The actual text states –

> *"Section 15. Penalty Clause – Any person, firm or corporation, found guilty of violating any provision of this ordinance shall be liable to a fine of not less than One Thousand Five Hundred Pesos (P1,500.00) nor more than Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of not less than one (1) month, nor more than five (5) months, or both to such fine and imprisonment, at the discretion of the court.*
>
> *If the violator is a firm, corporation or a juridical person, the owner, manager, proprietor, president, or any person primarily in-charge in the management or administration of the cockpit shall be held liable for the penalty herein provided."*

Additionally, the Petitioner actively misquoted Section 7 of Municipal Ordinance No. 2022-133 in an apparent attempt to deceive the Respondent Sangguniang Bayan. In Item 3 of the Petitioner's written reply dated February 26, 2026, the Petitioner claimed that -

> *Section 7 (Franchise Ordinance) provides only GENERAL authority:*
>
> *"The Sangguniang Bayan **may** revoke or cancel any franchise granted hereunder upon showing of valid cause xxx"*

This assertion deliberately ignores the actual text of the law, which explicitly states -

> "*Section 7. Revocation Clause. The franchise including the complimenting business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinance, rules or regulations.*"

Such a blatant distortion of a public ordinance constituted a disservice to the Respondent Sangguniang Bayan and undermines the merits of the Petitioner's arguments.

HON. ALEXANDER A. CAMPOSANO Municipal Vice Mayor
FERNANDO N. MORIEL SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
MILDRED C. MODESTO SB Member
CARLO ANGELO B. GO SB Member
ULPIANO U. ARPON, JR. SB Member
JOENLEE C. LARRAGA SB Member
MYLA L. AGUILAR SB Member
GUILLERMO I. PANAL SB Member
ARVIN N. URMENETA SB Member - LnB President
DANIEL N. AMASO SB Member - SK Federation President

It is a fundamental principle that a public franchise is a privilege coupled with a public trust. Petitioner's attempt, in bad faith, to mislead the Respondent Sangguniang Bayan as to the clear provisions of the governing ordinance constitutes a breach of that trust. Such dishonesty underscored Petitioner's disqualification and absolute unfitness to continue enjoying the benefits of the franchise.

Petitioner's deliberate mischaracterization of the text of Municipal Ordinance No. 05 s. 2008 in his formal reply to the Show-Cause Order constituted a material misrepresentation and administrative fraud. Changing the exact text of an active ordinance in an official submission to a legislative body, the Petitioner handed the Respondent Sangguniang Bayan unassailable evidence of bad faith.

The Supreme Court has consistently ruled that when an alteration changes the essence, scope, or restrictions of a law to benefit an applicant, it is a material alteration. Subsequently, no person can acquire a vested right, nor protect an existing privilege, through deliberate deception and the distortion of legislative texts.

Also, the Petitioner again conflates the Sangguniang Bayan's administrative finding of fraud with a judicial conviction for a crime under the Revised Penal Code. The Sangguniang Bayan makes no claim to judicial power; it did not sentence the Petitioner to a penal penalty, thus, Petitioner errantly argued that the Respondent Sangguniang Bayan acted *ultra vires*.

Rather, in evaluating the Petitioner's formal Reply to the Show-Cause Order, the Respondent Sangguniang Bayan discovered that the Petitioner submitted a distorted and physically altered version of Section 15 of Municipal Order No. 05 s. 2008 and Section 7 of Municipal Order No. 2022-133 to mislead the Respondent Sanggunian.

The Respondent Sangguniang Bayan's finding that the Petitioner "falsified" the text was an administrative assessment of gross misrepresentation, bad faith, and lack of fitness to continue holding a regulated municipal franchise.

When the Petitioner used fraud to deceive the Respondent Sangguniang Bayan during a show-cause proceeding, the Respondent Sangguniang Bayan had the inherent right to protect its own processes and franchise based on bad faith and grave misrepresentation.

Local Government Units (LGU) are not blind spectators to fraud perpetrated within their own halls. When a holder of a public privilege attempts to deceive the legislative council by manipulating the very laws enacted by that council, the LGU has the full administrative authority to strip that untrustworthy individual of the public privilege.

JIMMY A. CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

Moreover, the Petitioner intentionally confused Section 7 (Revocation Clause) with Section 15 (Penalty Clause).

> Section 15 of Municipal Ordinance No. 05 enacted on February 8, 2008 is a Penalty Clause that imposes criminal liabilities (fines or imprisonment) for a court to decide.
>
> Section 7 of Municipal Ordinance No. 2022-133 is a Contractual Condition of the franchise. Revocation is a regulatory action by the Sangguniang Bayan.

Section 7 of Municipal Ordinance 2022-133 is a Revocation Clause; it constitutes a binding contractual condition inherent to the franchise at the time it was granted. Petitioner voluntarily bound himself by accepting the franchise. He conceded to the rule that a violation of the ordinance's terms, PD 449 and other rules and regulations, would result in the automatic cancellation of the Petitioner's operating privilege. The invocation of Section 7 is therefore a mere enforcement of an agreed-upon condition, not an imposition of a penalty.

Moving to the next material infraction, in Paragraph 44 of the Petition for Review, the Petitioner claimed "allegations involving absence of a DAR conversion order, are matters ordinarily falling within the jurisdiction of (a) courts, (b) DAR, (c) licensing authorities, (d) prosecutors, or executive agencies, and not solely within unilateral legislative determination by the Sanggunian".

Section 447(a)(3)(5) of the Local Government Code states that it is the Sanggunian that has the authority to authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks. This is affirmed in Tan vs. Pereña (GR No. 149743), the Supreme Court held "*while the Local Government code now governs as to the authority of the Sanggunian to authorize or license establishment, operation, and maintenance of cockpits, it is still subject to the limitations laid down in PD 449.*" The Court even said that "*there is no dichotomy between affirming the power and subjecting it to limitation at the same time*". The Sangguniang Bayan has Licensing Power over cockpits and permits for cockfighting, yet it is conditioned upon compliance with national statutes.

As part of its legislative authority, the Sangguniang Bayan pointed out the Legal Opinion rendered by the Provincial Legal Officer, Atty. Jose Raymund A. Acol, in response to Sangguniang Bayan of Carigara Resolution No. 2024-129, entitled "A Resolution Earnestly Requesting the Sangguniang Panlalawigan of Leyte Thru its Provincial Legal Officer for Legal Opinion whether the Sangguniang Bayan, Carigara, Leyte can approve a request to hold cockfighting activities at the Canggara Amusement Center sans absence of Sangguniang

DANIEL N. ARIASO, SB Member - SK Federation President
ARVIN N. URMENETA, SB Member - LnB President
GUILLERMO I. PANAL, SB Member
MYLA L. AGUILAR, SB Member
JOENLEE C. LARRAGA, SB Member
ULPIANO U. ARPON, JR., SB Member
CARLO ANGELO B. GO, SB Member
MILDRED C. MODESTO, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
FERNANDO N. MORIEL, SB Member
JIMMY A. CAMPOSANO, Municipal Vice Mayor

Panlalawigan Resolution declaring valid the Ordinance reclassifying the land where the cockpit arena was constructed and the Ordinance granting franchise to Patrick V. Makabenta to establish operate and maintain cockpit arena in the Municipality of Carigara, Leyte" on the issue/concern whether or not SB Carigara can approve request to hold cockfighting activities pending Resolution declaring valid the Ordinance reclassifying the land where the cockpit arena was constructed:

> *"With the facts provided by the documents attached, this office is of the opinion that the SB shall establish if the new cockpit arena has an approved license or without. If it is licensed, the holding of cockfights shall be allowed provided that a valid Mayor's Permit or Business Permit has been issued therefor, if it is not yet licensed due to the fact of pendency of reclassification, that means that the cockpit arena is not yet allowed to operate as such, it is not yet licensed due to the fact of pendency of reclassification, that means that the cockpit arena is not yet allowed to operate as such.*
>
> *As to intent of holding a cockfighting in the Canggara Amusement Center, not intended as a cockpit center and the being a public facility, this office is of the opinion that the Canggara Amusement Center is not a "licensed cockpit" as contemplated or exempted under PD 449. Hence, allowing the holding of cockfighting thereat would be an outward violation of Section 5, par (d) of said decree."*

In Mr. Makabenta's Written Explanation in Compliance with the Final Show-Cause Order on SB Resolution No. 2025-068, Mr. Makabenta asserted that he took cognizance of Sangguniang Panlalawigan's Resolution No. 2022-130 and had taken active and constructive steps to ensure compliance with said requirements. This was further expounded by Mr. Makabenta and his Legal Counsel, Atty. Wenceslao Narido in the January 27, 2026 Committee Meeting of the Committee of the Whole, admitting that the land was not yet converted nor the estate tax paid, and erroneously claiming that "conversion only applies to rice land".

Yet, on his written explanation in compliance with the Second Show-Cause Order (SB Resolution No. 2026-039B), the claim is that land-use approvals are complete as expressed in Municipal Ordinance No. 2022-132.

However, there is no Resolution declaring valid Municipal Ordinance No. 2022-132 from the Sangguniang Panlalawigan, and even if there was reclassification from agricultural to commercial, mere classification of agricultural land does not automatically allow a landowner to change its use. He has to undergo the process of

JIMMY A. CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUJAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

conversion before he is permitted to use the agricultural land for other purposes, as stated in Creba v. The Secretary of DAR (GR No. 183409) that –

> "*Reclassification of agricultural lands by LGUs shall be subject to the requirements of land use conversion procedure or that DAR's approval or clearance must be secured to effect reclassification*".

The Conversion Order is also expressed in Section 5(a)(7) of Municipal Ordinance No. 05 s. 2008 which states that one of the requirements for the franchise is a copy of the permit from the Department of Agrarian Reform if it needs conversion of land use and from Housing and Land Use Regulatory Board, and also provides in the same Section (e), "*Violations of any of the foregoing provisions of this Section 5 shall be a ground for revocation of franchise*."

The absence of a DAR Conversion Order, their admission that the land has not yet been converted and estate tax unpaid showed evident non-compliance to Section 4(c)(4) of Municipal Ordinance No. 05 s. 2008, which states that –

> "*No cockpit shall be constructed without first securing the necessary requirements and approval from different government agencies concerned such as, Building Permit, Compliance with Zoning Ordinance and the Comprehensive Land Use Plan (CLUP) of the Municipality, Sanitary Permit and Environment and Natural Resources (DENR), Department of Agrarian Reform if it needs conversion of land use, Housing and Land Use Regulatory Board" of the Revised Cockfighting signifies non-compliance.*"

The Sangguniang Bayan with its licensing power over cockpits must exercise due diligence, including strict vetting of land use conversion documents which is essential for ensuring legal compliance and mitigating regulatory risk.

As provided in DILG Opinion No. 117 s. 2025 that states-

> *"The opinion reiterates that local governments cannot issue business permits for land uses that contravene national land classification or are inconsistent with comprehensive land use plans (CLUP) unless duly converted through proper channels."*

On the other hand, a cockpit franchise merely grants the holder the privilege to operate the business; it does not confer an absolute right to construct the facility at any chosen location. In fact, Section 5(c) of Presidential Decree 449 explicitly mandates that cockpits shall be constructed and operated within the appropriate areas as prescribed in

DANIEL N. RIJASO SB Member - SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
FERNANDO N. MORIEL SB Member
JAIME A. GALDOSANO Municipal Vice Mayor

the Zoning Law or Ordinance. Consequently, the Petitioner's franchise remains strictly subservient to, and conditioned upon, compliance with local zoning regulations.

DATE OF ACTION	REFERENCE	PURPOSE AND OUTCOME OF PROCEEDINGS
March 16, 2026	Regular Session	
	Resolution No. 2026-113	A Resolution Rescinding Resolution No. 2026-110 dated March 10, 2026, which imposed the 30-day suspension of cockpit operations of Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte.
	Resolution No. 2026-115	A Resolution Declaring the Revocation and Cancellation of the Cockfighting Franchise Granted to Mr. Patrick V. Makabenta for Violations and Non-Compliance to the Provision of Municipal Ordinance No. 2022-133, Existing Relevant Ordinances and Presidential Decrees No. 449.
March 26, 2026	Regular Session	Passed an Ordinance Revoking or Cancelling Municipal Ordinance No. 2022-133

JIMMY A. CAMPOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
AYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. ARIASO, SB Member - SK Federation President

	Municipal Ordinance No. 2026-054	entitled "An Ordinance Granting a Cockpit Franchise to Mr. Patrick V. Makabenta to Establish, Operate, and Maintain a Cockpit Arena in the Municipality of Carigara, Leyte. Ordinance passed on First to Third & Final Reading
May 4, 2026	Submission	Enacted Municipal Ordinance submitted to the Sangguniang Panlalawigan.
	Published	Posted on LGU Bulletin Board – Motorcycle Terminal, LGU Bulletin Board – Market Area, LGU Bulletin – across Holy Cross Parish, Three (3) Newspaper for three (3) consecutive weeks

The "Non-Impairment of Contracts" clause in the Constitution does not apply to franchises. The State cannot be "contracted away" from its duty to regulate for the general welfare. If a franchise grantee violates the conditions of the franchise, the privilege granted under it ceases to exist.

The Constitution explicitly strips franchises of any immunity from state modification or revocation. Article XII, Section 11 states –

> *"... Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or, repeal by the Congress when the common good so requires ..."*

Because this condition is written directly in the Constitution, it is automatically deemed written into every single franchise granted by the state or local government. When a legislative body alters or revokes a

DANIEL N. ERASO SK Federation President
ARVIN N. URMENETA SB Member - LnB President
GUILLERMO I. PANAL SB Member
DYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON, JR. SB Member
CARLO ANGELO B. GO SB Member
MILDRED C. MODESTO SB Member
VILMA M. DOMUS (Vacation Leave) SB Member
FERNANDO N. MORIEL SB Member
JIMMY A. CAMPOSANO Municipal Vice Mayor

franchise, it is not "impairing" a contract; it is simply exercising a right that was reserved from day one.

Further, the Sangguniang Bayan did not act arbitrarily or with "undue haste". The enactment of the revocation ordinance through all three required readings within a single session day is upheld in a Supreme Court Doctrine that there is no law or statutory prohibition in the Local Government Code preventing a local legislative council (Sangguniang) from conducting and passing a proposed ordinance through all three readings within a single session (G.R. No. 137718, Malonzo vs. Zamora).

In sum, the Petitioner's entire case rests on a flawed, hyper-technical premise. The Respondent Sangguniang Bayan's action was not an exercise of criminal jurisdiction, but a necessary, administrative measure. The Respondent Sangguniang Bayan did not overstep its bounds by imposing criminal penalties, such act would have been *ultra vires*; rather, it exercised its inherent administrative authority to protect public policy and the integrity of local governance which is clearly embodied under RA 7160 and the Municipal Ordinance No. 2022-133 which clearly laid out the automatic revocation of the franchise upon showing of **any** non-compliance of the conditions prescribed in said ordinance and for any violation of the provisions of PD 449, and other pertinent ordinance, rules, and regulation.

III. THE OFFICIAL RECORDS CONCLUSIVELY PROVE THE VALIDITY OF THE REVOCATION.

Instead of engaging in speculative legal debates, the Respondent Sangguniang Bayan rests its defense on the unassailable truth of the legislative record. Attached hereto are the complete, certified true copies of all minutes, committee reports, notices of hearing, receipts, and material evidence compiled over the last six months of the legislative inquiry.

These records clearly demonstrate to this Honorable Sangguniang Panlalawigan that:

1. Clear, undeniable violations were committed by the Petitioner;

2. The Petitioner was given multiple opportunities to be heard, present evidence, and clear his name;

3. The Sangguniang Bayan acted strictly within the bounds of its police and regulatory powers to protect the public welfare and interest of the Municipality of Carigara.

ATTY. A. CALDOSANO, Municipal Vice Mayor
FERNANDO N. MORIEL, SB Member
VILMA M. DOMUS, SB Member (Vacation Leave)
MILDRED C. MODESTO, SB Member
CARLO ANGELO B. GO, SB Member
ULPIANO U. ARPON, JR., SB Member
JOENLEE C. LARRAGA, SB Member
MYLA L. AGUILAR, SB Member
GUILLERMO I. PANAL, SB Member
ARVIN N. URMENETA, SB Member - LnB President
DANIEL N. RIJASO, SB Member - SK Federation President

PRAYER

WHEREFORE, premises considered, the Sangguniang Bayan of Carigara, Leyte, respectfully prays that the Honorable Sangguniang Panlalawigan:

1. **NOTE** and **ADMIT** this Manifestation and Comment along with the attached complete official records of the legislative inquiry; and

2. DECLARE Municipal Ordinance No. 2026-054, s. 2026, as **VALID, INTRA VIRES, AND FULLY COMPLIANT** with the Local Government Code of 1991, PD 449 and other pertinent ordinances, rules or regulations and existing jurisprudence.

3. **DISMISS** the Petition for Review for utter lack of merit.

Carigara, Leyte for submission to the Sangguniang Panlalawigan, Province of Leyte, Philippines, June 11, 2026.

SIGNATURES AND VERIFICATION

Respectfully submitted by:

FERNANDO N. MORIEL
SB Member

(Vacation Leave)
VILMA M. DOMUS
SB Member

Digitally signed by Modesto Mildred Contapay
MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

ULPIANO U. ARPON, JR.
SB Member

JOENLEE C. LARRAGA
SB Member

MYLA L. AGUILAR
SB Member

GUILLERMO I. PANAL
SB Member

ARVIN N. URMENETA
SB Member-LnB President

DANIELN. ARIASO, JR.
SB Member – SK Fed. Pres.

JIMMY A. CAMPOSANO
Municipal Vice Mayor

Noted by:

EDUARDO T. ONG, JR.
Municipal Mayor

Attached References:

COMMITTEE REPORTS	*dated February 2, 2026*
IMAGES	*Pictures showing several laptops utilized for machine-betting on Sept. 8, 2025* *Screenshot of Public Announcement of a 2 Stag/Cock or 3 Stag/Cock Combo Barrel, Double Derby January 25, 2026*
JOURNALS	*Journal of committee meeting October 15, 2025* *Journal of committee meeting January 27, 2026*
LEGAL OPINION	*Legal Opinion from the Provincial Legal Officer dated May 26, 2024* *DILG Legal Opinion No. 17 s. 2025*
LETTERS	*First Letter from the CAC Management Team dated October 17, 2025* *Second Letter from the CAC Management Team dated October 17, 2025* *Letter-request from Mr. Makabenta dated December 17, 2025 to hold cockfighting for December 22, 23, 24, 25 and 29, 2025*
MINUTES	*dated March 2, 2026* *dated March 10, 2026*
ORDINANCES	*Municipal Ordinance No. 2026-054* *Municipal Ordinance No. 2022-133* *Municipal Ordinance No. 2022-132* *Municipal Ordinance No. 2020-111* *Municipal Ordinance No. 05 s, 2008*
PERMITS	*Mayor's Permit 2025-53*
RESOLUTIONS	*Resolution Denying the resetting of the Scheduled Cockfighting Activity of Barangay Ponong, Guindapunan East and Barugohay Sur* *Resolution No. 2025-112* *Resolution No. 2025-114* *Resolution No. 2025-312* *Resolution No. 2026-102* *Resolution No. 2026-111* *Resolution No. 2026-113* *Resolution No. 2026-115*
SHOW-CAUSE ORDERS and REPLIES	*Resolution No. 2025-268* *Resolution No. 2026-039B* *Written Explanation from Mr. Makabenta dated February 26, 2026* *Written Explanation from Mr. Makabenta dated*

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 31ST REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON FEBRUARY 2, 2026

* * * * *

RESOLUTION NO. 2026-039A

A RESOLUTION ADOPTING THE COMMITTEE REPORT NO. 2026-08 OF THE COMMITTEE OF THE WHOLE, WITH THE COMMITTEE ON GAMES AND AMUSEMENT AND FRANCHISE AS LEAD COMMITTEE, RELATIVE TO THE WRITTEN EXPLANATION SUBMITTED BY MR. PATRICK MAKABENTA, CANGGARA AMUSEMENT CENTER FRANCHISEE/ PROPRIETOR, IN COMPLIANCE WITH THE FINAL SHOW CAUSE ORDER ISSUED UNDER SANGGUNIANG BAYAN RESOLUTION NO. 2025-268.

WHEREAS, Committee Report No. 2026-08 of the Committee of the Whole, led by the Chair of the Committee on Games and Amusement and Franchise, Honorable Carlo Angelo B. Go, on the above-cited subject matter was presented to the August Body for consideration and approval;

WHEREAS, after careful study and extensive deliberation, the majority of the members of Sangguniang Bayan deemed it proper to adopt the said Committee Report, but withheld the recommendation to revoke the franchise granted to Mr. Patrick V. Makabenta, to give him another chance to respond to the alleged violations considering that the allegations specified in the subject committee report was different from the issued Show Cause Order;

WHEREFORE, on motion of Honorable Carlo Angelo B. Go, duly seconded by Mildred C. Modesto, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby adopts Committee Report No. 2026-08 of the Committee of the Whole, with the Committee on Games and Amusement and Franchise as lead committee, relative to the written explanation submitted by

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CABOTULAN

Mr. Patrick V. Makabenta, Canggara Amusement Center Franchisee/ Proprietor, in compliance with the final Show Cause Order issued under Sangguniang Bayan Resolution No. 2025-268.

ADOPTED

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice-Mayor/Presiding Officer

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-
Office of the Sangguniang Bayan

BAGONG PILIPINAS

COMMITTEE REPORT NO. 2026-08

Submitted by: The Committee of the Whole

Subject: To discuss the written explanation submitted by Mr. Patrick Makabenta, Canggara Amusement Center Franchisee/ Proprietor, in compliance with the Final Show Cause Order issued under Sangguniang Bayan Resolution No. 2025-268.

To: The Presiding Officer

The committee to which the abovementioned item was referred, conducted a meeting last January 27, 2026 (Tuesday) at 2:00 o'clock in the afternoon at the SB Session Hall. Present thereat are the Lead Chairman Carlo Angelo B. Go.; and members: Hon. Jimmy A. Camposano; Hon. Fernando N. Moriel; Hon. Vilma M. Domus; Hon. Mildred C. Modesto; Hon. Joenlee C. Larraga; Hon. Myla L. Aguilar; Hon. Guillermo I. Panal and Hon. Arvin N. Urmeneta. Absent thereat are: Hon. Ulpiano U. Arpon, Jr. and Hon. Daniel N. Ariaso, Jr. Also, in attendance thereat are: Atty. Robert Jay Brazil, Executive Assistant I; Mr. Patrick V. Makabenta, CAC Manager and Atty. Wenceslao Narido, Jr.

The Committee of the Whole, led by the Committee on Games, Amusement and Franchise, convened to examine matters relative to the written explanation filed by Mr. Patrick Makabenta, franchisee-operator of Canggara Amusement Center, in compliance with the Final Show Cause Order issued pursuant to a Sangguniang Bayan Resolution No. 2025-268, on matters requiring clarification and explanation issues to be resolved by Mr. Patrick Makabenta as follows;

1. That the authority granted under Section 1 of the Municipal Ordinance No. 2022-133 to a sole proprietor was effectively delegated to another individual acting as "Operations Manager", without prior notice or approval of the Sangguniang Bayan , in violation of Section 4 of the same Ordinance, which expressly prohibits the sale, assignment, lease, usufruct or transfer of the rights and privileges granted under the franchise without a prior approval of the SB; and that, notwithstanding the recent passage of SB Resolution reiterating that only traditional mode of betting shall be implemented, the continued and unauthorized use of machine-based technology or technology-driven betting has been observed;

2. That he must take address and duly respond to the legal opinion of the Provincial Legal Office-solicited by the Office of the Sangguniang Bayan pursuant to SB Resolution No.

2024-129 dated April 24, 2024- which opined that the Carigara Amusement Center is for all legal intents and purposes, operating an unlicensed cockpit; and

3. That he must take cognizance of, and act upon, Resolution No. 2022-130 of the Sangguniang Panlalawigan of the Province of Leyte, requiring the submission of a tax clearance as prerequisites for the reclassification of Lot No. 3904-A, located at Brgy. Parag-um, Carigara, Leyte under the Municipal Ordinance No. 2022-132.

By which the franchisee Mr. Patrick Makabenta, submitted his written explanation to the issues as follows:

1. On Issue No. 1, Mr. Patrick Makabenta categorically denied violations of Section 1 of Municipal Ordinance No. 2022-133, considering that he never executed any deed, contract, or agreement of sale, assignment, lease, usufruct, or transfer of the franchise in favor of any person, including the individual referred to as "Operations Manager".
   The person designated as Operations Manager has been engaged solely to assist in the day-to-day conduct of the establishment such as coordinating personnel, maintaining order, and overseeing routine administrative tasks. Consistent with common business practice and basic principles of civil law, a franchisee may lawfully employ managers or agents and may agree to compensate them, whether by fixed salary or by a defined share in the net profits of the business operations, without thereby transferring ownership of the franchise itself. The operations Manager participates only in the profits of the enterprise by agreement, but he does not hold, and has never been granted, any title, right, or authority over the franchise as conferred by Municipal Ordinance No. 2022-133.
   He cannot represent himself as the franchisee; and he possesses no independent right to deal with the Sangguniang Bayan in place, he is an agent and profit-sharing participant in the business, not a transferee or co-grantee of the franchise.

2. On Issue No. 2, he made statement categorically opposing the opinion of the Provincial Legal Officer which states that Canggara Amusement Center is, "for all legal intents and purposes," operating as an unlicensed cockpit.
   After careful and faithful reading of the opinion, however, shows that it expressly recognizes the validity of the franchise granted in his favor.
   The opinion further underscores settled legal principles that a franchise is a special privilege rather that a vested proprietary right, that it is inherently subject to regulation, and that it may be withdrawn for cause. These principles are fully acknowledged and respected, as they are firmly rooted in statutory law and jurisprudence.
   He further manifested that his position as franchisee has been consistent: to rely in good faith on the franchise and ordinances duly granted by the Sangguniang Bayan, to comply with all permitting and regulatory requirements imposed by law, and to ensure that operations conform to the parameters set by this Honorable Body and by higher governing statutes.

Furthermore, he manifested his willingness to suspend, limit, or otherwise structure operations strictly in accordance with such lawful directives while issues relating to reclassification, licensing, or permitting are being resolved. In view of his demonstrable good faith, absence of willful defiance, and continuing cooperation he respectfully

requests that any compliance concerns be addressed through clear conditions and reasonable timelines, rather that immediate or unduly harsh sanctions, consistent with principles of fairness, proportionality, and should sound local governance.

3. On Issue No. 3, Mr. Patrick Makabenta with all due respect take cognizance of the Sangguniang Panlalawigan Resolution No. 2022-130, which requires the submission of a tax clearance and, where applicable, an estate tax clearance for Lot No. 3904-A as a prerequisite to give full force and effect to Municipal Ordinance No. 2022-132 reclassifying the subject land. He respectfully submits, however, that he nature and extent of his legal relationship to the property must be clearly appreciated in the proper legal context.
   It must be noted that Lot. No. 3904-A, located in Brgy. Parag-um, Carigara Leyte, is expressly identified in Municipal Ordinance No. 2022-132 as being owned by Ma. Victoria Bolong and that he did not claim ownership, title, or any proprietary interest over the land.
   His legal interest in confined to that of a franchisee and owner and operator whose authority to undertake lawful activities on the site necessarily relies on the landowner's title and compliance with applicable property-related obligations. By both its substance and intent, Sangguniang Panlalawigan Resolution No. 2022-130 is primary directed at the registered owner of the property, and where relevant, her heirs, who along bear the legal obligation to secure the required tax clearance and estate tax clearance under existing tax and property laws. Nonetheless, he fully recognized that the completion f theses clearances constitute a condition precedent to the unqualified and unquestioned effectivity of the land's reclassification.

4. Moreover, in the alleged unauthorized use of machine-based technology-driven betting mode, nowhere in the Municipal Ordinance No. 2022-133 "An Ordinance Regulating the Establishment, Operation and Maintenance of Cockpits-Cockfighting Activities and Commercial Breeding of Gamecocks in Carigara) expressly prohibits the use of "machine betting", "electronic betting" or "technology driven betting" nor there is any provision penalizing the use of computer assisted systems as an internal tool to record, tally, or display bets within the licensed cockpit premises. Under well settled rules of statutory construction, what the law or ordinance does not expressly or impliedly prohibit ids deemed allowed, especially when the statute itself enumerates the prohibited acts, applying the maxim expression unius est exclusion alterius. The Supreme Court has consistently held that restrictions and penalties cannot be created by implication and that acts not clearly within the letter of a penal or regulatory ordinance may not be treated as violations. (People vs. Zeta, GR No. L 7140, 30 December 1955, 98 Phil 930.
   Thus, Mr. Patrick Makabenta in his case, any use of electronic means was limited to supporting the traditional logro betting system recognized in the ordinance and was conducted within the licensed cockpit during authorized cockfighting events, not as a separate or remote gambling operation.

During the course of the deliberations, dated January 27, 2026 the members of the committee articulated and established the foundational grounds and clearly laid down the predicate, after which a motion for decisive action was to be presented for consideration for this Honorable Body.

A letter dated October 17, 2025 addressed to the Mayor and submitted through this Honorable Body from the so-called members of the Canggara Amusement Center (CAC) expressed and introduced themselves as the management team and investors of the cockpit.

This body has no prior knowledge that there are such personalities operating on the cockpit other than the Franchise Grantee, Mr. Patrick Makabenta. It is worthy to note that paragraph 2 of Municipal Ordinance No. 2022-133, the ordinance granting the Franchise to Mr. Patrick Makabenta, states that Mr. Patrick Makabenta filed his application to be granted a franchise in his individual capacity, therefore there is no involvement of any other personalities who applied with him for the right to operate the cockpit.

However, we cannot simply set aside that this group referred to Mr. Patrick Makabenta in paragraph 2 of that letter as *"acting owner (with emphasis on the words "acting owner")* of the establishment who ceased to cooperate in matters essential to the organization's welfare and compliance with existing municipal regulations". Again, it is on emphasis the word *"organization"* as the franchise was never granted to an organization. These matters do not need any extensive interpretation except that Mr. Patrick Makabenta appears to be not the owner or sole operator of the cockpit. This coincides with Mr. Patrick Makabenta' s statement during one of his personal appearances to the Sangguniang Bayan last October 15, 2025, and in today's committee hearing, admitting that at times he has no hand in the operation of the cockpit.

Section 4 of said Ordinance 2022-133 states that the franchise is non- transferable in character, and as such the GRANTEE shall not sell, assign, lease, grant the usufruct, or transfer including any rights and privileges acquired thereunder to any person without prior notice and approval of the Sangguniang Bayan.

The written answer of Mr. Patrick Makabenta dated January 12, 2026 states that there has never been a written unauthorized delegation, sale or transfer of the franchise, maybe true, but the absence of a written transfer does not negate the implied fact from the Canggara Amusement Center Management Team referring to Mr. Makabenta as "acting owner".

Moreover, the members of the committee noted that contracts under Philippine laws are binding in whatever form whether oral, written or even implied by actions *(as in this case)*. The implied fact herein is that Mr. Makabenta appears to be the not the only owner and the only operator of the cockpit.

The mere fact that these so-called management team wrote a letter to emphasize their capacity and role implies even a greater error because Mr. Patrick Makabenta misrepresented himself to the Sangguniang Bayan by appearing as the sole owner. More so, if he is only an acting owner, there will never be a need for a written transfer to the true owners.

It also did not miss our attention to observe that the Canggara Management Team was signed by personalities who were formerly Local Government Officials which strengthens and makes it more believable that their claim that Mr. Makabenta is a mere acting owner, can be true.

Further, Section 6 of the same ordinance states that the GRANTEE shall be allowed to hold cockfights during Sundays and every week for the purpose. The GRANTEE shall strictly observe the provisions of PD 449 and pertinent issuances particularly on the allowed days as

well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a special permit in holding their hack fights and derbies thereby.

The Sangguniang Bayan did not grant or approve the requested special derby or cockfight on the following dates: December 22, 23, 24, 27, and 29, 2025 as per Resolution No. 2025-312 and until the new year except on Sundays. But evidence shows that despite the absence of a special permit to hold such, cockfighting derby activities were still held under the denied dates. The request to hold the derby was denied because Mr. Makabenta was already issued a show-cause notice to reply. Evidence of the cockfighting activities includes the betting tickets which are in our possession dated December 23, 2025.

Another cockfighting activity was on January 25, 2026, a derby was held at Canggara Amusement Center, and this too happened without the authorization from the Sangguniang Bayan for the Municipal Mayor to issue a special derby permit for such. These derby activities were posted on social media. Mr. Makabenta, himself admitted these violations in today's committee meeting of holding a derby COCKFIGHTING activity without authorization from Sangguniang Bayan of Carigara and without permit from the municipal mayor.

The foregoing statements established a clear violation of Section 6 of the Franchise Ordinance No. 2022-133, which specifically states that the grantee must secure a special permit in holding their hack fights and derbies. The franchisee and even the self-proclaimed Operations Manager, Mr. Joselu N. Guia cannot feign knowledge of this regulation because it is Mr. Guia himself, a former SB Member, is the author of this said franchise ordinance.

These are deliberate and intentional disregard to Sec. 6 of the Franchise Ordinance No. 2022-133 set forth under the franchise granted to Mr. Makabenta, notwithstanding that this is at the same time a blatant disrespect to this Sangguniang Bayan as the regulatory authority.

Therefore, the members of the committee refer to Section 7 of the same ordinance which states that the franchise including the complimenting business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth under Municipal Ordinance No. 2022-133.

Thus, for the glaring and intentional non-observance and deliberate non-compliance by Mr. Patrick Makabenta of holding a cockfighting derby without authorization from SB and without mayor's permit as he himself admitted in this committee meeting, this body invoke the provisions of Section 7 of the same ordinance and herein move for the revocation of the franchise granted to Mr. Patrick Makabenta and thereby directing him to cease to operate the cockpit arena in the Municipality of Carigara.

Respectfully submitted this 2nd day of February, 2026

CARLO ANGELO B. GO
Lead-Chairman

FERNANDO N. MORIEL
Member

VILMA M. DOMUS
Member

MILDRED C. MODESTO
Member

JOENLEE C. LARRAGA
Member

MYLA L. AGUILAR
Member

GUILLERMO I. PANAL
Member

JIMMY A. CAMPOSANO
Member

ARVIN N. URMENETA
Member

ULPIANO U. ARPON, JR.
Member
(Absent)

DANIEL N. ARIASO, JR.
Member
(Absent)

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 31ST REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON FEBRUARY 2, 2026

* * * * *

RESOLUTION NO. 2026-039A

A RESOLUTION ADOPTING THE COMMITTEE REPORT NO. 2026-08 OF THE COMMITTEE OF THE WHOLE, WITH THE COMMITTEE ON GAMES AND AMUSEMENT AND FRANCHISE AS LEAD COMMITTEE, RELATIVE TO THE WRITTEN EXPLANATION SUBMITTED BY MR. PATRICK MAKABENTA, CANGGARA AMUSEMENT CENTER FRANCHISEE/ PROPRIETOR, IN COMPLIANCE WITH THE FINAL SHOW CAUSE ORDER ISSUED UNDER SANGGUNIANG BAYAN RESOLUTION NO. 2025-268.

WHEREAS, Committee Report No. 2026-08 of the Committee of the Whole, led by the Chair of the Committee on Games and Amusement and Franchise, Honorable Carlo Angelo B. Go, on the above-cited subject matter was presented to the August Body for consideration and approval;

WHEREAS, after careful study and extensive deliberation, the majority of the members of Sangguniang Bayan deemed it proper to adopt the said Committee Report, but withheld the recommendation to revoke the franchise granted to Mr. Patrick V. Makabenta, to give him another chance to respond to the alleged violations considering that the allegations specified in the subject committee report was different from the issued Show Cause Order;

WHEREFORE, on motion of Honorable Carlo Angelo B. Go, duly seconded by Mildred C. Modesto, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby adopts Committee Report No. 2026-08 of the Committee of the Whole, with the Committee on Games and Amusement and Franchise as lead committee, relative to the written explanation submitted by

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CANDALLES
DATE:

Mr. Patrick V. Makabenta, Canggara Amusement Center Franchisee/ Proprietor, in compliance with the final Show Cause Order issued under Sangguniang Bayan Resolution No. 2025-268.

ADOPTED

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice-Mayor/Presiding Officer

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-
Office of the Sangguniang Bayan

BAGONG PILIPINAS

COMMITTEE REPORT NO. 2026-08

Submitted by: The Committee of the Whole

Subject: To discuss the written explanation submitted by Mr. Patrick Makabenta, Canggara Amusement Center Franchisee/ Proprietor, in compliance with the Final Show Cause Order issued under Sangguniang Bayan Resolution No. 2025-268.

To: The Presiding Officer

The committee to which the abovementioned item was referred, conducted a meeting last January 27, 2026 (Tuesday) at 2:00 o'clock in the afternoon at the SB Session Hall. Present thereat are the Lead Chairman Carlo Angelo B. Go.; and members: Hon. Jimmy A. Camposano; Hon. Fernando N. Moriel; Hon. Vilma M. Domus; Hon. Mildred C. Modesto; Hon. Joenlee C. Larraga; Hon. Myla L. Aguilar; Hon. Guillermo I. Panal and Hon. Arvin N. Urmeneta. Absent thereat are: Hon. Ulpiano U. Arpon, Jr. and Hon. Daniel N. Ariaso, Jr. Also, in attendance thereat are: Atty. Robert Jay Brazil, Executive Assistant I; Mr. Patrick V. Makabenta, CAC Manager and Atty. Wenceslao Narido, Jr.

The Committee of the Whole, led by the Committee on Games, Amusement and Franchise, convened to examine matters relative to the written explanation filed by Mr. Patrick Makabenta, franchisee-operator of Canggara Amusement Center, in compliance with the Final Show Cause Order issued pursuant to a Sangguniang Bayan Resolution No. 2025-268, on matters requiring clarification and explanation issues to be resolved by Mr. Patrick Makabenta as follows;

1. That the authority granted under Section 1 of the Municipal Ordinance No. 2022-133 to a sole proprietor was effectively delegated to another individual acting as "Operations Manager", without prior notice or approval of the Sangguniang Bayan , in violation of Section 4 of the same Ordinance, which expressly prohibits the sale, assignment, lease, usufruct or transfer of the rights and privileges granted under the franchise without a prior approval of the SB; and that, notwithstanding the recent passage of SB Resolution reiterating that only traditional mode of betting shall be implemented, the continued and unauthorized use of machine-based technology or technology-driven betting has been observed;

2. That he must take address and duly respond to the legal opinion of the Provincial Legal Office-solicited by the Office of the Sangguniang Bayan pursuant to SB Resolution No.

2024-129 dated April 24, 2024- which opined that the Carigara Amusement Center is for all legal intents and purposes, operating an unlicensed cockpit; and

3. That he must take cognizance of, and act upon, Resolution No. 2022-130 of the Sangguniang Panlalawigan of the Province of Leyte, requiring the submission of a tax clearance as prerequisites for the reclassification of Lot No. 3904-A, located at Brgy. Parag-um, Carigara, Leyte under the Municipal Ordinance No. 2022-132.

By which the franchisee Mr. Patrick Makabenta, submitted his written explanation to the issues as follows:

1. On Issue No. 1, Mr. Patrick Makabenta categorically denied violations of Section 1 of Municipal Ordinance No. 2022-133, considering that he never executed any deed, contract, or agreement of sale, assignment, lease, usufruct, or transfer of the franchise in favor of any person, including the individual referred to as "Operations Manager".
   The person designated as Operations Manager has been engaged solely to assist in the day-to-day conduct of the establishment such as coordinating personnel, maintaining order, and overseeing routine administrative tasks. Consistent with common business practice and basic principles of civil law, a franchisee may lawfully employ managers or agents and may agree to compensate them, whether by fixed salary or by a defined share in the net profits of the business operations, without thereby transferring ownership of the franchise itself. The operations Manager participates only in the profits of the enterprise by agreement, but he does not hold, and has never been granted, any title, right, or authority over the franchise as conferred by Municipal Ordinance No. 2022-133.
   He cannot represent himself as the franchisee; and he possesses no independent right to deal with the Sangguniang Bayan in place, he is an agent and profit-sharing participant in the business, not a transferee or co-grantee of the franchise.

2. On Issue No. 2, he made statement categorically opposing the opinion of the Provincial Legal Officer which states that Canggara Amusement Center is, "for all legal intents and purposes," operating as an unlicensed cockpit.
   After careful and faithful reading of the opinion, however, shows that it expressly recognizes the validity of the franchise granted in his favor.
   The opinion further underscores settled legal principles that a franchise is a special privilege rather that a vested proprietary right, that it is inherently subject to regulation, and that it may be withdrawn for cause. These principles are fully acknowledged and respected, as they are firmly rooted in statutory law and jurisprudence.
   He further manifested that his position as franchisee has been consistent: to rely in good faith on the franchise and ordinances duly granted by the Sangguniang Bayan, to comply with all permitting and regulatory requirements imposed by law, and to ensure that operations conform to the parameters set by this Honorable Body and by higher governing statutes.
   Furthermore, he manifested his willingness to suspend, limit, or otherwise structure operations strictly in accordance with such lawful directives while issues relating to reclassification, licensing, or permitting are being resolved. In view of his demonstrable good faith, absence of willful defiance, and continuing cooperation he respectfully

requests that any compliance concerns be addressed through clear conditions and reasonable timelines, rather that immediate or unduly harsh sanctions, consistent with principles of fairness, proportionality, and should sound local governance.

3. On Issue No. 3, Mr. Patrick Makabenta with all due respect take cognizance of the Sangguniang Panlalawigan Resolution No. 2022-130, which requires the submission of a tax clearance and, where applicable, an estate tax clearance for Lot No. 3904-A as a prerequisite to give full force and effect to Municipal Ordinance No. 2022-132 reclassifying the subject land. He respectfully submits, however, that he nature and extent of his legal relationship to the property must be clearly appreciated in the proper legal context.
   It must be noted that Lot. No. 3904-A, located in Brgy. Parag-um, Carigara Leyte, is expressly identified in Municipal Ordinance No. 2022-132 as being owned by Ma. Victoria Bolong and that he did not claim ownership, title, or any proprietary interest over the land.
   His legal interest in confined to that of a franchisee and owner and operator whose authority to undertake lawful activities on the site necessarily relies on the landowner's title and compliance with applicable property-related obligations. By both its substance and intent, Sangguniang Panlalawigan Resolution No. 2022-130 is primary directed at the registered owner of the property, and where relevant, her heirs, who along bear the legal obligation to secure the required tax clearance and estate tax clearance under existing tax and property laws. Nonetheless, he fully recognized that the completion f theses clearances constitute a condition precedent to the unqualified and unquestioned effectivity of the land's reclassification.

4. Moreover, in the alleged unauthorized use of machine-based technology-driven betting mode, nowhere in the Municipal Ordinance No. 2022-133 "An Ordinance Regulating the Establishment, Operation and Maintenance of Cockpits-Cockfighting Activities and Commercial Breeding of Gamecocks in Carigara) expressly prohibits the use of "machine betting", "electronic betting" or "technology driven betting" nor there is any provision penalizing the use of computer assisted systems as an internal tool to record, tally, or display bets within the licensed cockpit premises. Under well settled rules of statutory construction, what the law or ordinance does not expressly or impliedly prohibit ids deemed allowed, especially when the statute itself enumerates the prohibited acts, applying the maxim expression unius est exclusion alterius. The Supreme Court has consistently held that restrictions and penalties cannot be created by implication and that acts not clearly within the letter of a penal or regulatory ordinance may not be treated as violations. (People vs. Zeta, GR No. L 7140, 30 December 1955, 98 Phil 930.
   Thus, Mr. Patrick Makabenta in his case, any use of electronic means was limited to supporting the traditional logro betting system recognized in the ordinance and was conducted within the licensed cockpit during authorized cockfighting events, not as a separate or remote gambling operation.

During the course of the deliberations, dated January 27, 2026 the members of the committee articulated and established the foundational grounds and clearly laid down the predicate, after which a motion for decisive action was to be presented for consideration for this Honorable Body.

A letter dated October 17, 2025 addressed to the Mayor and submitted through this Honorable Body from the so-called members of the Canggara Amusement Center (CAC) expressed and introduced themselves as the management team and investors of the cockpit.

This body has no prior knowledge that there are such personalities operating on the cockpit other than the Franchise Grantee, Mr. Patrick Makabenta. It is worthy to note that paragraph 2 of Municipal Ordinance No. 2022-133, the ordinance granting the Franchise to Mr. Patrick Makabenta, states that Mr. Patrick Makabenta filed his application to be granted a franchise in his individual capacity, therefore there is no involvement of any other personalities who applied with him for the right to operate the cockpit.

However, we cannot simply set aside that this group referred to Mr. Patrick Makabenta in paragraph 2 of that letter as *"acting owner (with emphasis on the words "acting owner")* of the establishment who ceased to cooperate in matters essential to the organization's welfare and compliance with existing municipal regulations". Again, it is on emphasis the word *"organization"* as the franchise was never granted to an organization. These matters do not need any extensive interpretation except that Mr. Patrick Makabenta appears to be not the owner or sole operator of the cockpit. This coincides with Mr. Patrick Makabenta' s statement during one of his personal appearances to the Sangguniang Bayan last October 15, 2025, and in today's committee hearing, admitting that at times he has no hand in the operation of the cockpit.

Section 4 of said Ordinance 2022-133 states that the franchise is non- transferable in character, and as such the GRANTEE shall not sell, assign, lease, grant the usufruct, or transfer including any rights and privileges acquired thereunder to any person without prior notice and approval of the Sangguniang Bayan.

The written answer of Mr. Patrick Makabenta dated January 12, 2026 states that there has never been a written unauthorized delegation, sale or transfer of the franchise, maybe true, but the absence of a written transfer does not negate the implied fact from the Canggara Amusement Center Management Team referring to Mr. Makabenta as "acting owner".

Moreover, the members of the committee noted that contracts under Philippine laws are binding in whatever form whether oral, written or even implied by actions *(as in this case)*. The implied fact herein is that Mr. Makabenta appears to be the not the only owner and the only operator of the cockpit.

The mere fact that these so-called management team wrote a letter to emphasize their capacity and role implies even a greater error because Mr. Patrick Makabenta misrepresented himself to the Sangguniang Bayan by appearing as the sole owner. More so, if he is only an acting owner, there will never be a need for a written transfer to the true owners.

It also did not miss our attention to observe that the Canggara Management Team was signed by personalities who were formerly Local Government Officials which strengthens and makes it more believable that their claim that Mr. Makabenta is a mere acting owner, can be true.

Further, Section 6 of the same ordinance states that the GRANTEE shall be allowed to hold cockfights during Sundays and every week for the purpose. The GRANTEE shall strictly observe the provisions of PD 449 and pertinent issuances particularly on the allowed days as

well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a special permit in holding their hack fights and derbies thereby.

The Sangguniang Bayan did not grant or approve the requested special derby or cockfight on the following dates: December 22, 23, 24, 27, and 29, 2025 as per Resolution No. 2025-312 and until the new year except on Sundays. But evidence shows that despite the absence of a special permit to hold such, cockfighting derby activities were still held under the denied dates. The request to hold the derby was denied because Mr. Makabenta was already issued a show-cause notice to reply. Evidence of the cockfighting activities includes the betting tickets which are in our possession dated December 23, 2025.

Another cockfighting activity was on January 25, 2026, a derby was held at Canggara Amusement Center, and this too happened without the authorization from the Sangguniang Bayan for the Municipal Mayor to issue a special derby permit for such. These derby activities were posted on social media. Mr. Makabenta, himself admitted these violations in today's committee meeting of holding a derby COCKFIGHTING activity without authorization from Sangguniang Bayan of Carigara and without permit from the municipal mayor.

The foregoing statements established a clear violation of Section 6 of the Franchise Ordinance No. 2022-133, which specifically states that the grantee must secure a special permit in holding their hack fights and derbies. The franchisee and even the self-proclaimed Operations Manager, Mr. Joselu N. Guia cannot feign knowledge of this regulation because it is Mr. Guia himself, a former SB Member, is the author of this said franchise ordinance.

These are deliberate and intentional disregard to Sec. 6 of the Franchise Ordinance No. 2022-133 set forth under the franchise granted to Mr. Makabenta, notwithstanding that this is at the same time a blatant disrespect to this Sangguniang Bayan as the regulatory authority.

Therefore, the members of the committee refer to Section 7 of the same ordinance which states that the franchise including the complimenting business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth under Municipal Ordinance No. 2022-133.

Thus, for the glaring and intentional non-observance and deliberate non-compliance by Mr. Patrick Makabenta of holding a cockfighting derby without authorization from SB and without mayor's permit as he himself admitted in this committee meeting, this body invoke the provisions of Section 7 of the same ordinance and herein move for the revocation of the franchise granted to Mr. Patrick Makabenta and thereby directing him to cease to operate the cockpit arena in the Municipality of Carigara.

Respectfully submitted this 2nd day of February, 2026

CARLO ANGELO B. GO
Lead-Chairman

FERNANDO N. MORIEL
Member

VILMA M. DOMUS
Member

MILDRED C. MODESTO
Member

JOENLEE C. LARRAGA
Member

MYLA L. AGUILAR
Member

GUILLERMO J. PANAL
Member

JIMMY A. CAMPOSANO
Member

ARVIN N. URMENETA
Member

ULPIANO U. ARPON, JR.
Member
(Absent)

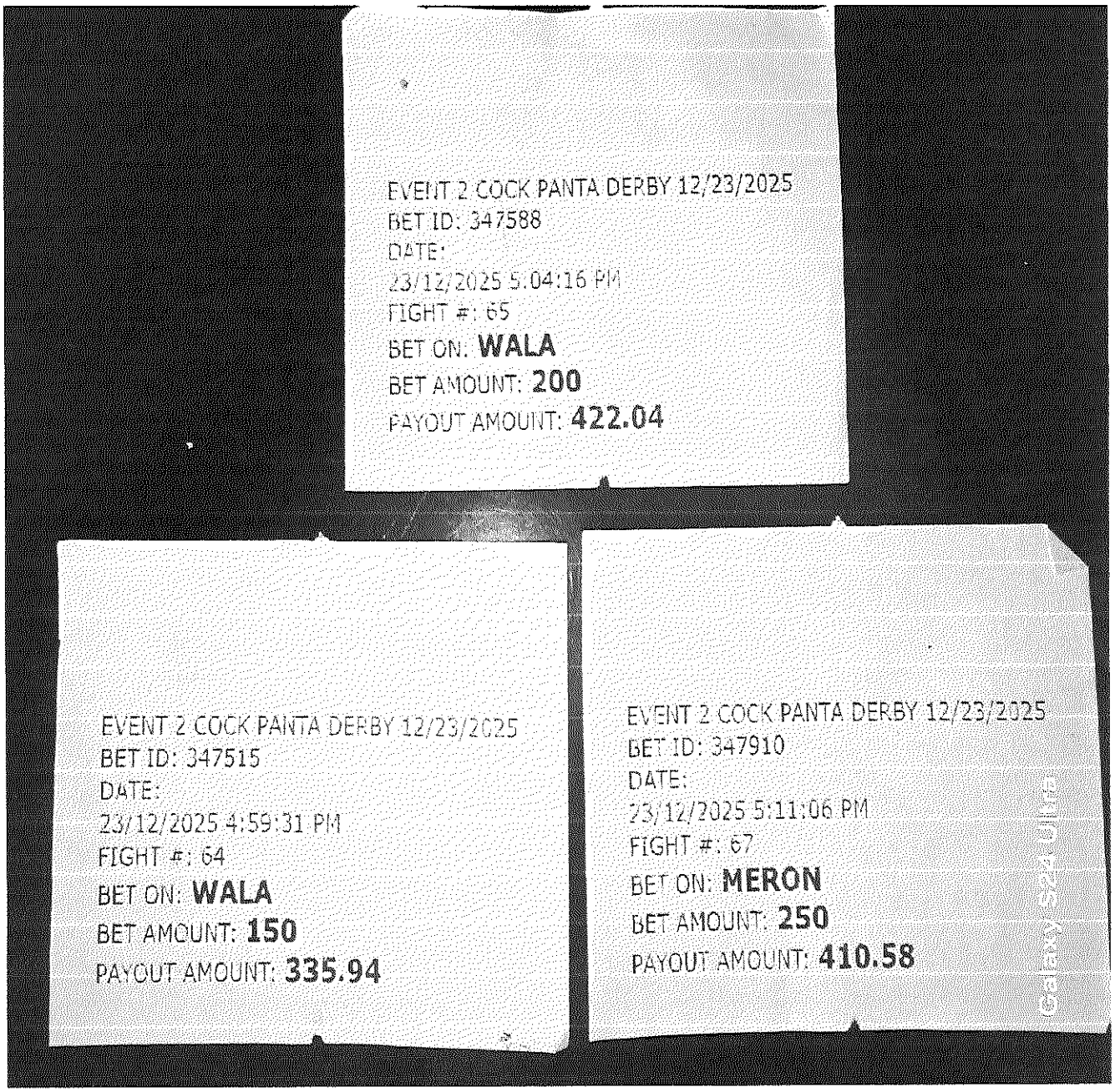
DANIEL N. ARIASO, JR.
Member
(Absent)

WITH 22%

27,309
PAYOUT: 249.7
230
44,482
PAYOUT: 159.3
1.125

STRAWBERR

BET ID:
USERNAME:
FIGHT #:
BET:
BET ON:
DATE:
300
MERON
300
WALA
200
WALA
150
MERON
200
WALA
200
MERON
200
MERON
400
MERON



EVENT 2 COCK PANTA DERBY 12/23/2025
BET ID: 347588
DATE:
23/12/2025 5:04:16 PM
FIGHT #: 65
BET ON: **WALA**
BET AMOUNT: **200**
PAYOUT AMOUNT: **422.04**

EVENT 2 COCK PANTA DERBY 12/23/2025
BET ID: 347515
DATE:
23/12/2025 4:59:31 PM
FIGHT #: 64
BET ON: **WALA**
BET AMOUNT: **150**
PAYOUT AMOUNT: **335.94**

EVENT 2 COCK PANTA DERBY 12/23/2025
BET ID: 347910
DATE:
23/12/2025 5:11:06 PM
FIGHT #: 67
BET ON: **MERON**
BET AMOUNT: **250**
PAYOUT AMOUNT: **410.58**

Facebook
Ask Gemini
facebook.com/photo/?fbid=26360592073547865&set=pcb.26360599263547146

CANGGARA AMUSEMENT CENTER

BRGY. PARAG-UM, CARIGARA, LEYTE

CHICKBOY MAPAGMAHAL PROMOTION

2 STAG/COCK OR 3 STAG/COCK COMBO DOUBLE BARREL DERBY

CASH BOND: 2,200
NO POT MONEY-FREE ENTRANCE

JANUARY 25, 2026 (SUNDAY)

2-STAG/COCK DERBY	3-STAG/COCK DERBY
20K	**50K**
BAYAD AGAD	BAYAD AGAD
LAST WIN 10K SHARED	ANY 2 WINS 15K SHARED

ACCEPTED BAND:
ALL NATIONAL & LATEBORN BANDED STAG
ACCEPTED WEIGHT:
1.700-2.150 (STAG) 1.850-2.400 (COCK)
GIVE & TAKE:
35 GRAMS (STAG) 40 GRAMS (COCK)

BAD WEIGHT PENALTY:
1,000 FOR FIRST 5 GRAMS & 500 FOR SUCCEEDING 5 GRAMS
DELAYING OF FIGHT: 1,000
RED FLAG: NO FIGHT REQUEST

MINIMUM BET: 2,200 MAX. BET: DECLARED BET

SUBMISSION OF WEIGHTS: JANUARY 24,2026 UNTIL 12 NOON ONLY

CONTACT PERSON
CHICKBOY: 09209464797 KAMANDAG: 09175197089 LOYCE & BODJIE: 09190941650

This photo is from a post.
Rose Anne Hamtig Petallana
January 3 ·
1
No comments yet
Be the first to comment.
June9_Pinaka FINA...
Facebook - Google ...
ENG
8:53 am

KITA KITS BUWAS MGA KASANGKAYAN HA SABONG! GOOD LUCK SA TANAN. 👍

30 5 23

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. CALVESTRE-CABALLES
DATE:

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, the discussion is now closed. (Bangs gavel)

HON. MILDRED C. MODESTO, SB Member

Mr. Chair, with that, I move for the approval of the second reading of the proposed Municipal Ordinance No. 2025-003.

UNANIMOUSLY SECONDED

HON. JIMMY A. CAMPOSANO, Presiding Officer

Unanimously seconded, having no objection, the motion is hereby carried. ((Bangs gavel)

HON. MILDRED C. MODESTO, SB Member

And also, Mr. Chair, I move to calendar for the third and final reading of the proposed Municipal Ordinance No. 2025-003 next session.

HON. GUILLERMO I. PANAL, SB Member

Second

HON. JIMMY A. CAMPOSANO, Presiding Officer

Seconded by Hon. Panal, the motion made by Hon. Modesto to calendar the said proposed Municipal Ordinance no. 2025-003 for the third and final reading for next session is hereby carried. (Bangs gavel)

* * * * *

MR. PAULINO T. MARQUEZ, OIC-SB Secretary

Next, under the Calendar of Business-Business of the Day, number 6 Appearance of Mr. Patrick Makabenta, sole proprietor of Canggara Amusement Center re: Resolution 2025-114: A RESOLUTION REITERATING THE USE OF THE RADITIONAL MODE OF IN-PERSON BETTING AS PROVIDED IN THE MUNICIPAL REVISED COCKFIGHTING ORDINANCE, as requested by the Hon. Myla L. Aguilar.

HON. FERNANDO N. MORIEL, SB Member

Move to suspend the rules.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

A motion to suspend the rules seconded by Hon. Go, Hon. Domus and Hon. Modesto. Any objection? There being none. The motion is carried *(bangs gavel)* Rules suspended.

We have here Mr. Patrick Makabenta as requested for his appearance by Hon. Myla. The floor is now open.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. MYLA L. AGUILAR, SB Member

Mr. Chair, let him introduce himself first. Para sumulod ha record.

MR. PAULINO T. MARQUEZ, OIC-SB Secretary

For the record, resource person you may introduce yourself.

MR. PATRICK V. MAKABENTA, CAC Manager

Maupay nga aga ha iyo ngatanan. Ako hi Patrick Makabenta, owner operator CAC.

HON. MYLA L. AGUILAR, SB Member

What is CAC?

MR. PATRICK V. MAKABENTA, CAC Manager

Canggara Amusement Center.

HON. MYLA L. AGUILAR, SB Member

Mr. Chair, the reason we called Mr. Patrick here because in our session last August we agreed that from September they will follow that there will be no more talpak it was agreed, unless an ordinance has to be approved but there was no ordinance approved on the month of September and is already October 15 now. So, there are request here in the Sangguniang Bayan for the committee now and then convene and convene then we passed a resolution approving for a request of a certain barangay to hold pintakasi in relation to their barangay fiesta. And it is also indicated that is on traditional. But what happen in the galyera isa always talpak. So, an natatabo I will say it in vernacular dire gintotood an Sangguniang Bayan. So, katapusan han October 2 & 3 nagpabulang kanan Jugaban siguro ito nga pabulang kay kanan fiesta, very clear an permit Mayor's Permit nga gin issue han office of the Mayor thru the Municipal Administrator. It says there nga ini nga operation gin- gra grant kamo on a pintakasi mayda didto ginbutang gud nga traditional furnished pa an PNP. Pero what **happened?** Amo la gihapon nga isturya. So, dire talaga natood bisan unanhon nga pag inisplikar dinhi, iristurya dinhe Sangguniang Bayan waray gamit an iristurya dinhi Sangguniang Bayan kay pag abot ngadto dire man gin totood an Sangguninag Bayan. So, the reason why I ask him to come kay nag sarabot kita, nag sarabot kita dinhe nga kahuman han September dire ngani kami tuuron papatawag hin utro ngan mag dedesisyon an Sangguninag Bayan to that.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Okay, thank you Hon. Aguilar. You can answer, anyone? Yes, Mr. Patrick Makabenta you have the floor.

MR. PATRICK V. MAKABENTA, CAC Manager

Naghangyo kasi an provider hito nga amon talpak han amon Pit Manager kay hi ako

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO L. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

dire man ako pirmanente nakada. as an owner di man pirmamente labi na nga aadto ako ha Tacloban, mayda kami ginha-hire hito nga Pit Manager. Hiya iton nag provide hito nga talpak nag hangyo hiya nga an talpak machine dida dire pa ba na kita, waray pa ba mabawi kay rent to own man ito hiya nga machine. So, nahangyo hiya kun puyde ma extend. Amo adto nag decide an amon Pit Manager nga extend la anay.

HON. MYLA L. AGUILAR, SB Member

May I know who is that Pit Manager? May I know his name?

MR. PATRICK V. MAKABENTA, CAC Manager

Konsehal Guia.

HON. MILDRED C. MODESTO, SB Member

The former.

HON. MYLA L. AGUILAR, SB Member

The former Konsehal Guia. So, the former Konsheal Guia ito nga bulang nga natabo han July nga nakanhe na kami tapos ginkanhi kita dinhe ha Sangguniang Bayan kay naghimo hiya hin surat nga gingamit niya an mga barangay, nga an mga brgy. dire hira maaram han rason nga kay ano ginbabalhin an bulang inin at that time they passed a resolution at his incumbency, tama? At his incumbency nga kun papanginanuon naton iton Republic Act 6713, nasiring financial and material interest paragraph a section 7. Prohibited acts and transactions paragraph a- financial and material interest public officials and employees shall not directly or indirectly have any financial or material interest in any transactions requiring the approval of their office. To top it all, hiya pa iton na sponsor dinhe Sanggunaing Bayan tas hiya ngayan pit manager? So, amo iton natabo? Tama ba Patrick?

HON. ULPIANO ARPON, JR. SB Member

Anay daw, excuse me. Aanhi ka, bibinisayaon ko la. Aanhe ka Mr. Patrick, pagsumat dinhi an isturya mo nga nangangaro anay iton tag-iya hiton talpak machine tagan anay hira hin time makabawi-bawi kay siring mo man inin lugi. Okay, I'm asking you, ito nga ira request amenable ka hito? Okay ka hito nga ipapasige la anay an operation han bulang to talpak basi maka return hin ROI iton investment. Ano man an imo hito masisiring? Are you amenable to that? Ikaw Mr. Secretary pag isturya kay dire man nakakabaton pa.

MR. PATRICK V. MAKABENTA, CAC Manager

Kun tutugutan han SB nga padayon an talpak, kay ano kadire?

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chairman

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARJASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO U. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes, Hon. Larraga

HON. JOENLEE C. LARRAGA, SB Member

I would like to ask Mr. Patrick Makabenta since you are the franchisee and you are the owner, are you the one managing the cockfight, the cockpit?

MR. PATRICK V. MAKABENTA, CAC Manager

Ako it na manage hit operation pero mayda kami hito gintatawag nga Pit manager aadto ito hiya ha sulod hiya iton baga nakuan hiton pusta, sugad hito.

HON. JOENLEE C. LARRAGA, SB Member

So, diba if you are the manager and you are the owner you are the sole responsible of the operation. And you know everything. My point is we already passed a resolution prohibiting the amusement center the Canggara Amusement Center to use the traditional betting and why are you not following it? And why are you violating it?

MR. PATRICK V. MAKABENTA, CAC Manager

An akon instruction didto ha bulangan traditional gud kay amo aton gin iristuryahan. Pag pakiana ko han akon Pit Manager amo man iya baton nga nahangyo an provider kun puyde ma extend amo nga gin extend niya.

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chair can I finish? Did you inform the Sangguniang Bayan or Office of the Mayor that you are requesting for the extension?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

May I be allowed to pose questions for about 5 minutes uninterrupted questions so would be able to laid down facts on what is actually happening there.

HON. MYLA L. AGUILAR, SB Member

Okay, hiya anay.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay Hon. Moriel go ahead.

HON. FERNANDO N. MORIEL, SB Member

Sir, being the franchise owner or ikaw ba an tag iya hito nga franchise owner or holder?

MR. PATRICK V. MAKABENTA, CAC Manager

Ako, Your Honor.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL IV. AMASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. FERNANDO N. MORIEL, SB Member

Bilang ikaw la an tag-iya, supposedly under didto han Ordinance nga gin hatag ha imo nga grant didto ha franchise ikaw po an responsable mag operate ngan ikaw iton responsible ha ngatanan nga nahihitabo hito dida particularly hiton compliance hiton applicable laws, ordinances and rules and regulations. So, ikaw po ba an nag ma-manage or nagpapadalagan hito?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes. Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Sir, ayaw pag binuwa dinhi kay ano man iton imo magiging baton naka record ito dinhe, madadamay kami, kami la po regulating body kun dire tama an nahihitabo dida dahil ha imo, ha imo baton maaapi kami. Ha imo baton dinhi importante as basis hiton amon decision that we are going to make administratively or legislative disposition or decision parti hito nga franchise. So, pwede ba magyakan ka hin tinood, ayaw pagbuwa Sir?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Ikaw ba nagpapadalagan hito nga ikaw la usa tanan nga nahihitabo dida ikaw iton may control? Yes, or no?

MR. PATRICK V. MAKABENTA, CAC Manager

Dire. Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Hino man an iba nga nagpapadalagan?

MR. PATRICK V. MAKABENTA, CAC Manager

Hi Konsehal "Seloy" Guia.

HON. FERNANDO N. MORIEL, SB Member

An problema, waray po hiya dinhe. Waray naton ka invite. Naghatag kaba hin authorization, written formal nga nag a-allow ka or nag-authorize ka ha iya magpadalagan hito?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Mr. as I said earlier ikaw po an responsible ha anon nahihitabo kay ano nasugot ka nga

mahitabo ito. nga iba an nagpapadalagan pero kami naka rely ha imo nga ngatanan gin hatag ha imo na procedures nga imo obligations nga hihimoon mo

pero nadalagan an bulangan nga waray ka kinalaman, pano ito nahihitabo?

MR. PATRICK V. MAKABENTA, CAC Manager

Mayda ako hito kinalaman dida Your Honor. Maaram ako hiton nahihitabo, akon ito responsibilidad maaram ako hito. Pero, nagsabot kami ni Seloy, hi ex Konsehal Guia kun waray ako dida hiya talaga.

HON. FERNANDO N. MORIEL, SB Member

Nagsiring ka kanina, waray ka maghatag hin authorization.

MR. PATRICK V. MAKABENTA, CAC Manager

Waray ako maghatag hin written authorization nga hiya iton, verbal la.

HON. FERNANDO N. MORIEL, SB Member

Nakabutang didi ha franchise nga gin allow ha imo nga dire ka allow paghatag or pag convey or pag transfer without prior authorization or approval from the Sangguniang Bayan. Kay ano nahihitabo po ito?

HON. ULPIANO U. ARPON, JR., SB Member

Okay, please point of clarification.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Let's give more time to Hon. Moriel. After you will be called. Okay, continue.

HON. FERNANDO N. MORIEL, SB Member

Okay, next ano nga adlaw Sir nga ikaw nagpapadalagan hiton bulang dida yana? Ano na mga adlaw?

MR. PATRICK V. MAKABENTA, CAC Manager

It bulang yana, dominggo nala.

HON. FERNANDO N. MORIEL, SB Member

Are you sure? Taga dida po ako.

MR. PATRICK V. MAKABENTA, CAC Manager

Iba la po iton derby kun derby.

HON. FERNANDO N. MORIEL, SB Member

Tanan nga klase nga bulang ano nga adlaw may bulang derby or anon tawag pa hito?

HON. JIMMY A. CAMPOSANO, Presiding Officer

Regular cockfight.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO J. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

MR. PATRICK V. MAKABENTA, CAC Manager

Dominggo nala, yana nga semana asta sunod nga mga semana. Dominggo nala iton bulang.

HON. FERNANDO N. MORIEL, SB Member

Yana pala matikang nga dominggo nala.

MR. PATRICK V. MAKABENTA, CAC Manager

Yana pala kay waray na patron.

HON. FERNANDO N. MORIEL, SB Member

So, an previous ngatanan nga mga naglabay, Thursdays and Friday tama?

MR. PATRICK V. MAKABENTA, CAC Manager

Thursday and Friday may bulang.

HON. FERNANDO N. MORIEL, SB Member

So, yana ma stop kana hito? Imo na ito decision?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes.

HON. FERNANDO N. MORIEL, SB Member

An mga previous niyo kay amo man aton gin aano, mayda ba bulang dida nga nga waray tama I mean kada bulang ba nga nahihitabo dida bisan ano nga klase may ada kaba pirme ginakakaptan nga authorization or permiso from Sanggunian or Mayor's permit?

MR. PATRICK V. MAKABENTA, CAC Manager

Mayor's permit, na-aro kami Mayor's permit.

HON. FERNANDO N. MORIEL, SB Member

Ginsisigurado mo nga mayda hito sano magtikang an bulang?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Paano mo man nasisigurado kun nasiring ka waray kaman dida pirme?

MR. PATRICK V. MAKABENTA, CAC Manager

Mayda man kami nareport akon nga Secretary nga hiya iton nagkukuan pirme hiton mga permit. Pagtatawag ko nakabayad na hiya.

HON. MYLA L. AGUILAR, SB Member

Hino ngaran han Secretary?

HON. FERNANDO N. MORIEL, SB Member

Hino nga Secretary?

MR. PATRICK V. MAKABENTA, CAC Manager

Hi Rachelyn.

HON. MYLA L. AGUILAR, SB Member

Rachelyn ano?

MR. PATRICK V. MAKABENTA, CAC Manager

Silvestre.

HON. MYLA L. AGUILAR, SB Member

Hain nag ta-trabaho ito?

MR. PATRICK V. MAKABENTA, CAC Manager

LGU.

HON. MYLA L. AGUILAR, SB Member

Aw hi Rachelyn.

HON. FERNANDO N. MORIEL, SB Member

So, hiyan na report ha imo Sir?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Okay, next nga concern iton ano nga Sistema an imo pag papataya dida hiton bulang iton pag pupusta?

MR. PATRICK V. MAKABENTA, CAC Manager

An yana previous, kuan machine betting.

HON. FERNANDO N. MORIEL, SB Member

Naintindihan mo ba nga dire in conformance ha existing nga ordinance nga gin papasunod dapat ha imo nga nakasaad didto ha imo franchise nga ginhatag ha imo?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes, Your Honor.

HON. FERNANDO N. MORIEL, SB Member

Kay ano gin hihimo mo man ito?

MR. PATRICK V. MAKABENTA, CAC Manager

Because of ha business side kasi talagang pabor ha business side. Lugi man kun mag masyaray.

HON. FERNANDO N. MORIEL, SB Member

Sir, an essence po han PD 449 is to really discourage gambling kasi antagonistic hiya kun pano maunlad an aton community, you will not progress kun tanan nakasalalay ha game of chance. Anyway, an sunod ko po nga pakiana Sir, as the owner paano mo nasisigurado nga an mga regulatory taxes or nga dapat bayaran dinhi ha munisipyo ay nahihimo?

MR. PATRICK V. MAKABENTA, CAC Manager

Mayda ako Secretary nga nagbabayad hito nga mga taxes.

HON. FERNANDO N. MORIEL, SB Member

Since talpak an iyo gingagamit, pano hiya nakaka compute hito kun ano dapat nga baraydan?

MR. PATRICK V. MAKABENTA, CAC Manager

Ha talpak waray tax an amon babayaran la renyas, mayors permit.

HON. FERNANDO N. MORIEL, SB Member

So, naintindihan mo ba Sir nga ikaw ito nga franchise nga ginahatag ha imo is only a privilege dire po right nga may naka akibat nga mga obligasyon nga dapat mo sundon. Nga nakabutang didto nga any bisan ano hito yana nga nahitabo nga imo ginbabaton dinhi nga naka record ay grounds for automatic cancellation or revocation hito nga franchise?

MR. PATRICK V. MAKABENTA, CAC Manager

Maaram ako hito Your Honor.

HON. FERNANDO N. MORIEL, SB Member

So, pwede mo ba ako matagan hin rason, anon rason nga dire ito dapat ig revoke yana?

MR. PATRICK V. MAKABENTA, CAC Manager

Dire ig re-revoke kay nakakabulig ini hiya ha mga empleyado mayda ini nabubuligan an tax pala namon. May mga taxes kami nga pinan babayaran tapos mga empleyado gihapon nakakabulig kami dida mga 40 or something nga empleyado nga na-sweswelduhan namon ha bulangan.

HON. FERNANDO N. MORIEL, SB Member

I have no further questions.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Thank you. Hon. Moriel. Yes Hon. Arpon. I believe you have a pending question.

HON. ULPIANO U. ARPON, JR. SB Member

Patrick, napakiana ako ha iya kanina kun pananglitan iton imo yana operation yana dida, hinangyo an Pit Manager ha imo nga tagan hira hin sufficient time nga magpabulang

nga makabawe-bawe hiton ira gastos, nasugot ka?

MR. PATRICK V. MAKABENTA, CAC Manager

Nasugot Your Honor.

HON. ULPIANO U. ARPON, JR. SB Member

Kay pagpakiana ko hini kay maaram ako illegal in inga talpak but in hiunong han mga isturya mga regonta our member hi Hon. Moriel nga tinood ito nga ito nga masunod kamo han balaud pero liwat one thing inculacate in mind everybody here in this August Body kanina pa ako pag siniring we should be compassionate in our actions. Kay natugot man adi, inin tag-iya nga mahitungod hiton livelihood hini nga mga tawo nahatag hiya hin okasyon nga tutugutan hiya dire kita maaram kun san-o, asta makabawe iton talpak amo iton akon gusto ig inculcate ha iyo ngatanan that let us wave for compassion but there is a saying as a lawyer there's a saying that the law might be harsh but it is the law.

HON. MYLA L. AGUILAR, SB Member

Dure lex, sed lex

HON. ULPIANO U. ARPON, JR. SB Member

Kay yana nga panahon kinahanglan iton importante as I reiterate nag iimbitar kita hin mga sinisiring ka nga let's say ini nga mga pakabuhi mga businesses to generate employment generate livelihood kay ano an akon sinisiring dire tagan ta hin gutiay nga panahon. Amo iton akon gusto igpasabot dinhi yana dinhe nga August Body. Thank you ha iyo ngatanan.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, thank you Hon. Arpon.

HON. MILDRED C, MODESTO, SB Member

Can I have the floor. Mr. Chair?

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Yes. Hon. Modesto you have the floor.

HON. MILDRED C, MODESTO, SB Member

I just want to question the owner kun nasiring ka nga nahangyo an iyo Pit Manager aw ano it ngaran hito niya, kay dire ito imo? Hino it tag-iya hito? Kasi ikaw it tag-iya hiton bulangan tapos dire **ganansiya nga activity hiton mapadalagan hit activity**. Kan **kanay** man ito?

MR. PATRICK V, MAKABENTA, CAC Manager

Hi konsehal Seloy iton nag introduced hito dida.

JIMMY A. CAMPOSANO
Mun. Vice-Mayor-Pres. Officer

DANIEL N. ABASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO L. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. MYLA L. AGUILAR, SB Member

Tikang man ito diin?

HON. MILDRED C. MODESTO, SB Member

Waray ka maka point out kun hino an tag iya hito?

MR. PATRICK V. MAKABENTA, CAC Manager

Usually nag kuan ito didi ha Barugo kan Penaranda, I don't know kun ira ito or ha Manila base nga machine.

HON. MILDRED C. MODESTO, SB Member

Tag-iya ka dire ka maaram kun tikang diin ito?

MR. PATRICK V. MAKABENTA, CAC Manager

An iya siring ha Manila, pero an rent to own la kasi ito niya may certain year nga puyde na niyo maiyo na mahuman ito nga year.

HON. MILDRED C. MODESTO, SB Member

Okay, so kun maiya na ito ma plete kana ha iya?

MR. PATRICK V. MAKABENTA, CAC Manager

Dire. Kanan bulangan na akon na.

HON. MILDRED C. MODESTO, SB Member

Pero the fact nga gin totolerate mo kay para maka income diba kay an nasiring ka an business side pero kay ano nga nakakabuang kamo dida because hito nga mga barangay fiesta kay maaram man kamo nga dominggo la talaga it puyde niyo gin tatagan kamon pabor kay para business side, para maka tax it munisipyo para gihap kamo maka income. Pero it ak pakiana kay anon ga until now tapos na an fiesta han iba nga brgy waray pa niyo katage han P8,000.00 nga iyo dapat ihatag ha ira particularly Rizal and Camansi dida ini nag iristurya han October 4 patron nga waray pa hira panagi. Kay ano kasugad hino nanhahatag hini ha ira? Ikaw, or iton iyu Pit Manager?

MR. PATRICK V. MAKABENTA, CAC Manager

Hi Konsehal Guia

HON. MILDRED C. MODESTO, SB Member

Hi ikaw ano man it imo gamit?

HON. MYLA L. AGUILAR, SB Member

Waray, nagawas nga waray.

HON. MILDRED C. MODESTO, SB Member

Kun waray ka gamit hito dida likewise kuhaon namon iton franchise ha imo.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay. we may cut the discussions we are running out of time maybe we can ano next session.

HON. MYLA L. AGUILAR, SB Member

No, we'll finish now. we'll finish now. We are paid 24/7 as councilor so we'll finish this.

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chairman.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, go ahead. Hon. Larraga.

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chair, I observe seeing in social media the post Mr. Patrick Makabenta mayda hiya mga pabulang pero ha Barugo niya gin he-held, ano an reason ano ba talaga even myself naguguluhan ako that you are the owner of cock and then nagpapa derby ka an imo venue didto ha Barugo. What's really the point?

MR. PATRICK V. MAKABENTA, CAC Manager

An last ko nga request ha Sanggunian an derby an iyu gin grant is masyaray so, sunod ko nga request liwat sigurado msayaray liwat iga-grant kun ha business side lugi, so may ko man sangkay ha Barugo didto ako nagpa bulang kay kun maaram kamo talpakay didto.

HON. MILDRED C. MODESTO, SB Member

Kay natalpak manla gihap dida.

HON. MYLA L. AGUILAR, SB Member

Kay ikaw an tag-iya dida han galyera.

MR. PATRICK V. MAKABENTA, CAC Manager

Dire ako hito na tolerate nga

HON. FERNANDO N. MORIEL, SB Member

Mr. gin uutro ko ayaw kami pag binuwai, imo franchise ma delikado.

HON. MYLA L. AGUILAR, SB Member

Bangin Mr. Chair may kinakahadlukan ka Patrick, pagsumat hin tood, Baga kamin gin linuwat mo dinhe.

HON. VILMA M. DOMUS, SB Member

Mr. Chair mapakiana.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO J. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Yes.

HON. VILMA M. DOMUS, SB Member

Mr. Patrick good morning, mapakiana ako, it kada pag bubulang ngadto kailangan talaga hin authority from SB?

MR. PATRICK V. MAKABENTA, CAC Manager

Yes, Your Honor.

HON. VILMA M. DOMUS, SB Member

Kasi mayda yana upcoming nakita ko ha Facebook October 9, mayda naman liwat derby ha Carigara Parag-um?

MR. PATRICK V. MAKABENTA, CAC Manager

Tapos na.

HON. VILMA M. DOMUS, SB Member

So, waray adto mag aro aton hin authority?

HON. JIMMY A. CAMPOSANO, Presiding Officer

Mayda adto, mayda basta mag bulang.

HON. MYLA L. AGUILAR, SB Member

Excuse me, Mr. Chair.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Yes, okay I will entertain last question. Go ahead.

HON. MYLA L. AGUILAR, SB Member

Okay, thank you, Mr. Chair. Nasiring kanina hi Patrick nga for reasons nga taxes nakakahatag, I wrote a letter to the Provincial Treasurer's Office kasi I went personally to the Office of the Treasurer kun talaga may kita an amusement tax an aton Canggara Amusement Center. Negative Mr. Chair.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Negative. Kay waray man gain proceeds.

HON. MYLA L. AGUILAR, SB Member

Amo ito negative, so how can you say that the LGU is beneficial to this talpak? Kay bisan ngani amusement tax waray an siring didi ha akon han, I will give this copy later it says nga kay nasiring nga dire na hira magkokolekta didto an Provincial Treasurer kay kinadto waray man, but they are not waiving their right because the regulatory authority of the municipality kanan munisipyo over cockpit operation to ensure compliance particularly by

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PAMAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

requiring the imposition of admission fees that serve as a basis for the amusement tax. So, an natatabo waray ngani income an munisipyo regarding naman hito nga sinisiring mo income hito nga ito nga masyaray

HON. JIMMY A. CAMPOSANO, Presiding Officer

To clarify an gain proceed nakuha dida ha amusement tax.

HON. MYLA L. AGUILAR, SB Member

Yeah, but we have a share.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

What is the statement coming from the Provincial Treasurer?

HON. MYLA L. AGUILAR, SB Member

I ask them if they have waived their rights kay amo man an siring dire na hira nakolekta, so would you like me to read the whole letter? So, I will read it now. Only one page. Because before I wrote the provincial treasurer, I went to the Treasurer's Office kay dire ano nag news-monggorin la ngan nag kukuan. This refers to your letter dated September 29, 2025 concerning the collection of amusement tax specifically on whether the province of Leyte has waived its imposition, kay nasiring man dire nagkokolekta. Please be informed that the Province of Leyte has not waived the collection of the amusement tax pursuant to Section 140 of Republic Act No. 7160 otherwise known as Local Government Code of 1991 as amended by Republic Act 9640 series 2009, provinces are authorized to levy amusement tax of not more than 10% of the gross receipt derived from admission of entrance fees to theaters, cinemas concert halls, circuses, boxing stadia and other places of amusement.

In the Province of Leyte, the imposition and collection of this tax are governed by provincial tax Ordinance No.1 series of 1993 Article 6 Section 37-44. Specifically, Section 37 provides: "there is hereby imposed a tax from proprietors, lessees or operators of theaters, cinemas, Betamax, houses, concert halls, circuses, boxing stadia, cockpits and other places of amusements within the Province of Leyte at the rate of 30% of the gross receipts from admission fees. However, under Republic Act No. 9640 (2009), the allowable amusement tax rate is now limited to more than ten percent (10%) of gross receipts from admission or entrance fees. In accordance with RA 9640 the said Ordinance, proceeds from the amusement tax rate shared equally between the province and the municipality where the amusement place is located.

It must be emphasized, however, that the tax rate base is the admission or entrance fees collected from patrons. Thus, in the absence of admission fees, so waray man admission fees,

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ABASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO J. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

no amusement tax can be levied or collected. While the province provides the legal basis through its ordinance, it is within the regulatory authority of the municipality over cockpit operations to ensure compliance, particularly by requiring the imposition of admission fees that serve as the basis for the amusement tax. We trust this clarifies the matter. For emphasis, the province has not yet issued any waiver of the amusement tax, and its collection remains in full force and effect. For you information and guidance.

So, amo tak karuyag sidngon nagsisinumat ka dinhe ha amon nga may taxes, waray ngani kami collection dinhe han amusement tax. An allegation nga nabaruan ko damon duron tawo didto pirme pero waray man an munisipyo. An aton la kita han renyas kulang ngani kontrolado in fact kun susumahon naton ito ngatanan nga machine puyde ito makit-an kun pira talaga an nataya hito kay makakaprint ito hiya. Kun ihapon ito dako unta and makaka generate hin tood. That would be the basis hiton renyas pero kay dire man na remit la, mamay ka patron nga patron dose mil la an kita han munisipyo bug-os nga July. Matood ka hito? So, I'm going back han akon statement kanina nagyakan ako kanina kay nasiring kaman hi Seloy let it relay ha ira nga hiton mga myembro didto.

HON. JOENLEE C. LARRAGA, SB Member

Kay ano may miyembro ito?

HON. MYLA L. AGUILAR, SB Member

Kay amo iya pit manager. If that is your pit manager bisan pa hiya dire na konsehal kay iton act na iya ginhimo may provision gud ngahi nga it shall continue to apply for a period of 1 year after resignation, retirement or separation from public office in case ito nga iya actions. So, ito nga imo pit manager dire ito puyde kay konsehal ngani ito hin bungto han Carigara.

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chairman point of order.

HON. JIMMY A. CAMPOSANO, Presiding Officer

You are repeatedly calling the name of Joselu Guia.

HON. FERNANDO N. MORIEL, SB Member

Point of order. You should not be calling the name of a person who is not here who cannot defend himself.

HON. MYLA L. AGUILAR, SB Member

Mr. Chair, because he said he is the pit manager so I'm just calling the name because it is the name of the pit manager.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chairman, at the same time if you are saying that pit manager you should have the documents that he is the pit manager, because it's so hard that you are mentioning a person who is not here and with regards to the statement of Hon. Myla with regards to the operation nga ig-inform, I would like to ask if do you have, when you construct the cockpit, when you construct mayda kaba mga investor hito?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray, your Honor.

HON. JOENLEE C. LARRAGA, SB Member

So, waray ka second party or mayda ka hito mga ka sosyo? Did you establish it with yourself ha imo kalugaringon?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray ako ka sosyo, your Honor.

HON. JOENLEE C. LARRAGA, SB Member

What is the relationship nimo hiton tag-iya hiton tuna? Mayda ba hiya participation hito?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray, your Honor. Gin pletehan ko la it tuna, amo la iton mon hito sabot.

HON. MYLA L. AGUILAR, SB Member

Mr. Chair, adin iyo ordinansa han approval hito nga iyo cockpit, nasiring didi nga hito nga pag approve hito nga franchise 2022-260 coming from the Sanggunaing Panlalawigan, this was referred to the Committee on Games and Amusement Municipal Ordinance No. 2020-133 of Carigara Leyte for reasons nga mayda mga kurumplayon. Pakiana ko yana nag comply hiya han kurumplayon, before you grant this? Kay mayda gud didi annotations han iyo ordinansa.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Can you please read it?

HON. MYLA L. AGUILAR, SB Member

Yeah, I will read. Office of the Sangguniang Panlalawigan excerpts from the minutes of the 138th Regular Session of the Sangguniang Panlalawigan of Leyte conducted at the Session Hall, Provincial Complex of Leyte on May 24, 2022. Resolution No. 2022-260 a resolution referring to the SP Committee on Games and Amusement Municipal Ordinance No. 2022-133 of Carigara, Leyte. Whereas submitted to the SP is municipal Ordinance No.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO UPANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

2022-133 of Carigara Leyte, entitled "An ordinance granting franchise to Patrick V. Makabenta to establish, operate and maintain cockpit arena in the Municipality of Carigara, Leyte. Whereas, the august body upon review deem it proper to refer said ordinance to the SP Committee on Games and Amusement. Now, therefore on motion presented of Hon. Trinidad Apostol duly seconded by Hon. Raissa Villasin and Hon. Ranulfo Abellanosa be it resolved to refer to the Committee on Games and Amusement Municipal Ordinance No. 2022-133 of Carigara Leyte. So, there was a need for compliance as I went there mayda kulang kamo regarding the conversion of the lot. So, is it complied already?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray pa, your Honor.

HON. MYLA L. AGUILAR, SB Member

Waray. So how about the payment of the taxes because as I've heard the property is an estate. So, as to taxes on that matter of the place is it already complied also? She mentioned about the lot eh, so that's why I remember it. When she mentioned about the lot, nangalimot na ngani ako, I remember that one.

MR. PATRICK V. MAKABENTA, CAC Manager

Waray pa, ka comply your Honor. Usually kun nagkikita kami ni Mana Bebe Bolong, gin sisiring ko hiya nga kumusta na an aton lacking nasiring man hiya nga iko-comply niya.

HON. MILDRED C. MODESTO, SB Member

Mr. Chair, in **the** 19th Council, we are always reiterating (that) nga ito nga **state** tax kasi six years to follow nga imo mga requirements and you know very well nga it is illegal nga ginhatagan ngani kamo **hin pabor hito nga granting of franchise tas** kami na hin duro it nasasagasaan and you know nga puyde ka **ma**kuhaan hin franchise anytime **for** only one violation. Pero, we are always passionate, compassionate as what Hon. Arpon was stating. Six years is not already for **compassion** and it's already for the law to **be** implemented.

HON. MYLA L. AGUILAR, SB Member

Ayaw na, igkuan na iton franchise dire man natood. Halagad iton six years kaiha na hiton duro.

HON. JOENLEE C. LARRAGA, SB Member

Mr. Chairman, I suggest if Mr. Patrick Makabenta is mentioning that he has a Pit Manager to invite them to be here next session. Because ginpapaikot ikot la kita han isturya.

HON. MILDRED C. MODESTO, SB Member

Mr. Chair, we have no legal authority to invite them the fact nga waray hiya gin hatag

nga written authority to manage hito, and besides ha aton franchise waray iba. Kun mag invite kita hin iba nga tawo automatic na, waray na.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes, Hon. Moriel.

HON. FERNANDO N. MORIEL, SB Member

The answers given by Mr. Makabenta is clearly nag portray those clear violations of the franchise under such provisions, now I am only concerned if in action giving a chance a humanitarian consideration however in our decisions quite sometimes, I'm concerned of what ahm, if there be no problem on the part of and we cannot fake our knowledge now that we do not know illegal things that are happening, we do have to remember one of our members have even presented pictures of violations. The chief executive himself has also given a memorandum order at present I believe we are not in a position to say that we do not know what is happening. Now, my only concern are we not answerable to malfeasance or even the connivance.

HON. ULPIANO U. ARPON, JR. SB Member

Definitely, no.

HON. FERNANDO N. MORIEL, SB Member

Why?

HON. ULPIANO U. ARPON, JR. SB Member

Because we are compassionate

HON. FERNANDO N. MORIEL, SB Member

Compassionate if we were only talking about the money but the moral side of that far outweigh the amount to be collected or beneficial.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Anymore additional statement, before we decide?

HON. MYLA L. AGUILAR, SB Member

Mr. Chair, I'd like to ask Patrick in all his honesty because your franchise that has been granted to you as you are a single proprietorship, sole karuyag sidngon ikaw la usa, may miyembro hini nga iba, waray? May investor ka, waray?

MR. PATRICK V. MAKABENTA, CAC Manager

Waray.

HON. MILDRED C. MODESTO, SB Member

Are you amenable kukuhaon namon iton franchise mo?

KIMJAY A. CAMPOSANO Mun. Vice Mayor-Pres. Officer
DANIEL N. ABASO, JR. SB Member-SK Fed. Pres.
ARVIN N. URMENETA SB Member-LnB. Pres.
GUILLERMO I. PAYAL SB Member
MYLA L. AGUILAR SB Member
JOENLEE C. LARRAGA SB Member
ULPIANO U. ARPON SB Member

HON. MYLA L. AGUILAR, SB Member

Babawion namon an franchise hito. We will enact now a resolution.

HON. ULPIANO U. ARPON, JR. SB Member

Initial pala ito nga statement.

HON. MYLA L. AGUILAR, SB Member

Dire tutud-on namon mabotos kami yana.

HON. ULPIANO U. ARPON, JR. SB Member

Ayaw gad anay. Do not be harsh.

HON. MYLA L. AGUILAR, SB Member

Let's vote kay para once and for all ma settle ta ini. Kay makapoy nan duro nasiring ka waray ka miyembro ikaw la ini ngatanan. And for information there are even members here inside the council here, may mga miyembro dinhe hiton galyera.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Can you prove that?

HON. MYLA L. AGUILAR, SB Member

Yes. I have the list here. The declaration of trust and investment, I have here I was able to get the copy it says here, it was given to me

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Given by whom? Do you have the authority that their document given to you to announce it publicly?

HON. MYLA L. AGUILAR, SB Member

Maybe.

HON. JIMMY A. CAMPOSANO, Mun. Vice Mayor-Presiding Officer

Just maybe you are not sure, please refrain we will talk about that later. For that before we continue session suspended. *(bangs gavel)*

* * * * *

(At this point, session resumed.)

HON. CARLO ANGELO B. GO, SB Member

Mr. Chair

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes, Hon. Go

HON. CARLO ANGELO B. GO, SB Member

Mr. Chair, being the chairman of the Committee on Games and Amusement and

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member/SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. DAMAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

Franchise Mr. Chair during the manifestation of my colleagues regarding the supposed violations of the owner, operator of CAC however, na observe ko po Mr. Chair that based ha agenda kasi the purpose is to invite Mr. Patrick Makabenta to discuss reiterating the use of traditional mode **of betting.** An akon observation kasi nagiging investigation kasi ini yana. Tapos na agree ako hadto ha **mga manifestations.** However, dire hiya right avenue yana kay ano. I do believe nga although nakikita naton nga there are violations committed by the cockpit ano still mayda niya being the owner hin right to due process, right to the property, right to defend **himself hin mga** formal complaint or formal grievance coming from the Sanggunian para liwat kita maging ready kun ano kinakaptan ta nga papeles para gihap ha iya maging ready pag baton. Kay baga nakikita ko yana medyo makukuan hiya pag baton hito it would be unfair ha iya kay waray naka ready na mga papeles. Amo la ito hiya akon observation and I respect the opinion of the other members of this Body.

HON. MILDRED C. MODESTO, SB Member

Mr. Chair, can I have. I am always reiterating this nga I am not against the management of the cockpit operation my all concern is the fact nga gintagan kamo hin franchise nga may mga requirements nga kulang nga for almost pira na ka years waray niyo ig comply ano imo masisiring? Dire ka ba nag huhuna huna nga that's a violation pag render paghatag ha imo hin franchise?

HON. ULPIANO U. ARPON, JR. SB Member

Point of order.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes. What is your point of order?

HON. ULPIANO U. ARPON, JR. SB Member

According to the statement of kumpanyero that we should be give this chance now to Patrick due process so in that score I would like to suggest that we got to reset postpone for another and defend it to the committee. No more discussion already.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, thank you. For this Chair to decide this matter is subject to be referred to the Committee on Games and Amusement.

HON. CARLO ANGELO B. GO, SB Member

Mr. Chair, may I suggest to refer this to the Committee of the Whole.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Let me finish first. To that committee and all members are invited, I will be the lead

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

and Presiding Officer. So. what is your prerogative time Honorable Members?

HON. MYLA L. AGUILAR, SB Member

Not this week. Monday nala.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Monday, holiday.

HON. MILDRED C. MODESTO, SB Member

Bring all the necessary documents

HON. JIMMY A. CAMPOSANO, Presiding Officer

And may I also request and for members to decide there are names mentioned repeatedly you Pit Manager to answer some questions, hanging questions nga waray kabaton. But those names were already mentioned, for them to defend on their side.

HON. MILDRED C. MODESTO, SB Member

Yes, mag defend hiya kay I have many questions.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yeah, he will be invited. Some people will support your statements.

HON. MILDRED C. MODESTO, SB Member

Mr. Chair, also the Secretary.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Secretary.

HON. MILDRED C. MODESTO, SB Member

Yeah, because he also mentioned the name of Rachelyn Silvestre being the secretary of cockpit.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay.

HON. MYLA L. AGUILAR, SB Member

So, who will be coming?

HON. VILMA M. DOMUS, SB Member

Mr. Chair last time na ini nga pag iiristoryahan?

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes. I will ano this subject to settle as soon as possible. For that the debate, discussion is now terminated.

* * * * *

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. ANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

ULPIANO U. ARPON
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELLE A. SILVESTRE - CASTILLO
DATE

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, ma'am, 5 minutes response time

HON. FERNANDO N. MORIEL, SB Member

Pero an iyo trainees adi didi nag a-attend, kamo didto.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Mr. Chair, ig o-open ko kan COP ito nga concern.

HON. MYLA L. AGUILAR, SB Member

Honestly, I will tell you nga naiinsulto ako nga dinhi la ha Carigara an pulis diri naintra han flag ceremony han munisipyo.

(*off the record*)

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Ig o-open ko ito kan sir, ma'am.

HON. MYLA L. AGUILAR, SB Member

Yes, kay diri ito puuwede nga mastering nga may 5 minutes or 5 second response time kay bali man ito waray duty nga mabibilin. Ma-text naman la ito nga mayda rai-raidon so, ma-excuse na kamo. Di ba?

HON. FERNANDO N. MORIEL, SB Member

Mr. Chair, clarification la didto kay waray masyaddo ma-answer an question ni Hon. Aguilar with regards han diri kamo na act didto ha bulangan nga mayda man kamo copy so, i-cla-clarify la seguro unta. Pagkakaintindi ko, kamo na act per chain of command. Tama? So, an iyo direct or immediate supervisor or superior is the Local Chief Executive, an Mayor. An SB or SB Members diri api han organizational structure ha iyo chain of command. Tama? So, ma act kamo depende kon may marching order an Municipal Mayor. Tama?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, sir.

HON. FERNANDO N. MORIEL, SB Member

Dapat an SB mag u-urge kan Mayor to do this para maghatag ha iyo hin command order. Tama?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Puwede liwat diri, deretso la sir kan COP since lawmaker man kamo, sir.

HON. FERNANDO N. MORIEL, SB Member

Puwede deretso?

JHAMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PAMAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, sir.

HON. FERNANDO N. MORIEL, SB Member

Kay ano nga diri niyo gin i-i-schedule?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

I co-confer ko kan COP, sir.

HON. MYLA L. AGUILAR, SB Member

Maaram ka heto kay tikang ka ha Capoocan. An structure didto an SB nakaka-deretso ha pulis. Kasi Mr. Chair naiha ako pagkinonsehal, dose anyos. Waray kami kuri pagpapatawag hin pulis. Yana, iba. Diri puwede kay amo in. Napausa ako kay baman ito motto han pulis, "*Sangkay ko an pulis.*" Waray man mag iba an motto han pulis. Di ba?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, ma'am.

HON. FERNANDO N. MORIEL, SB Member

Sir, pakiklaro nala ha iyo Chief.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, sir.

HON. FERNANDO N. MORIEL, SB Member

Thank you.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Pati an flag raising, ma'am.

HON. MYLA L. AGUILAR, SB Member

Oo, kay kamo la an naiiba. Sidnga nga hi Konsehal Aguilar na attend ito hin flag ceremony ha Palo, Sta. Fe, Alangalang, Jaro Tunga. Puro an nag ho-hoist han flag an PNP.

HON. JOENLEE C. LARRAGA, SB Member

Actually, sir, na mi-miss na namon kamo kay maiha na kami nga segi hin atendir hin flag ceremony di kami nakakakita ha iyo. Amo ito nga nag re-request kami nga makumpleto kita bilang pamilya. We consider everybody nga aanhi ha Carigara nga pamilya.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Thank you, ma'am.

HON. CARLO ANGELO B. GO, SB Member

Mr. Chair

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes, Hon. Go

HON. CARLO ANGELO B. GO, SB Member

In relation naman Mr. Chair, heto nga flag ceremony, maybe we can ask the help of our DILG considering that they are under the DILG para padad-an hira hin formal nga document requiring them to attend the flag ceremony pero kon masige hira without that mas mauroupay.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Let's see them on Monday. Waray ngane mag-attend, mahatag nala hin Memo an DILG.

HON. MILDRED C. MODESTO, SB Member

By the way, an nangawat kanda NIvera na check na niyo kay naka-CCTV man?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Gin fo-follow up invest pa han amon imbestigador, ma'am.

HON. JOENLEE C. LARRAGA, SB Member

An nawad-an liwat ha mercado, na solve na niyo?

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

So far ma'am, waray pa man.

HON. JOENLEE C. LARRAGA, SB Member

Kay mayda man CCTV.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

An iya CCTV, ma'am, diri klaro an nawong han babaye.

HON. JOENLEE C. LARRAGA, SB Member

Dapat malaksi an response. Kon na-report dayon ha iyo, nag co-coordinate han sapitsapit nga bungto kon mahihimo.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, any other questions? Last question? We'll be entertaining one more discussion or question.

HON. MILDRED C. MODESTO, SB Member

Just see you on Monday.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Okay, thank you so much for coming.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PADAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Thank you, sir. Thank you, ma'am, pag open han imo concern/observations. Makakabot ito kan, sir.

HON. MYLA L. AGUILAR, SB Member

Yes, waray kasi ako makaabot han nakanhi hi chief kay waray pa ako hadto dinhe.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Yes, ma'am.

HON. MILDRED C. MODESTO, SB Member

Segi kay anyway may meeting kita buwas, akon nala liwat igsesering kan Chief.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Thank you, sir. You are excused.

PEMS EDILBERTO MISAGAL DELIMA, JR, PNP-MPS

Thank you.

* * * * *

HON. JIMMY A. CAMPOSANO, Presiding Officer

We have follow-up indorsement. Yes, go ahead, Mdm. Secretary.

MS. RACHELYN A. SILVESTRE-CABALLES, Secretary to the Sanggunian

Second (2nd) indorsement, respectfully forwarded to the Office of the Sangguniang Bayan of this Municipality thru the HON. JIMMY A. CAMPOSANO, Municipal Vice-Mayor, the herein attached draft of the proposed Rabies Control Ordinance of Carigara, Leyte for deliberation and enactment of the August Body. For your perusal, review, and appropriate action.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Refer to Committee on Health. (*Bangs gavel*)

* * * * *

MS. RACHELYN A. SILVESTRE-CABALLES, Secretary to the Sanggunian

Another indorsement is the 2nd indorsement, respectfully forwarded to the Office of the Sangguniang Bayan of this Municipality thru the HON. JIMMY A. CAMPOSANO, Municipal Vice-Mayor, the herein attached draft of the proposed Rabies Ordinance Regulating Slaughtering, Sale, Storing, Hauling, and Processing of Food Animals in Carigara, Leyte and Prescribing Penalties Thereof. For your perusal, review, and appropriate action.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Refer to Committee on Health. (*Bangs gavel*)

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PAYAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

* * * * *

MS. RACHELYN A. SILVESTRE-CABALLES, Secretary to the Sanggunian

Next is the 2nd Indorsement, respectfully forwarded to the Office of the Sangguniang Bayan of this Municipality thru the HON. JIMMY A. CAMPOSANO, Municipal Vice-Mayor, the herein attached Barangay Ordinance No. 001, s. 2004 of the Sangguniang Barangay, Brgy. Sagkahan, Carigara, Leyte, relative to the implementation of an Ordinance Regulating Vending in Ecoville, Brgy. Sagkahan, Carigara, Leyte, with attached Resolution No. 029, s. 2024, Minutes of the Special Session, Minutes of the Barangay Assembly, and the Attendance Sheet. For your appropriate action and approval.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Refer to Committee on Rules. (*Bangs gavel*)

* * * * *

HON. VILMA M. DOMUS, SB Member

Mr. Chair, can I have other matters?

HON. JIMMY A. CAMPOSANO, Presiding Officer

Yes, for other matters, Hon. Domus go ahead.

HON. VILMA M. DOMUS, SB Member

I asked permission from our Floor Leader regarding this [matter].

HON. JIMMY A. CAMPOSANO, Presiding Officer

Go ahead.

HON. VILMA M. DOMUS, SB Member

A resolution asking financial assistance from the Province of Leyte for the rehabilitation of bridge located in Brgy. Canalampay, boundary of Brgy. Libo and Brgy. Canlampay. Kay nagkaproblema hira. Nag meeting kami last Saturday then nag-asked hira hin assistance para hero, a resolution for the Province of Leyte.

HON. MYLA L. AGUILAR, SB Member

I suggest Mr. Chair to amend the resolution – "A Resolution Requesting the Provincial Government of Leyte to Construct *x x x*", because they will not give money to us.

HON. VILMA M. DOMUS, SB Member

An aton is immediate action so, rehabilitation lang muna. We have already a resolution to construct the bridge.

HON. CARLO ANGELO B. GO, SB Member

Kon mamarapatin Mr. Chair ni Hon. Domus, I want to join.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

HON. VILMA M. DOMUS, SB Member

No problem with me

HON. GUILLERMO I. PANAL, SB Member

I also manifest as joint movant, Mr. Chair, being the resident of Brgy. Canlampay.

HON. VILMA M. DOMUS, SB Member

Also Hon. Panal

HON. CARLO ANGELO B. GO, SB Member

Thank you.

HON. ARVIN N. URMENETA, SB Member

I second, Mr. Chair.

HON. JIMMY A. CAMPOSANO, Presiding Officer

Noted the joint motion of three (3) members, seconded by Hon. Urmeneta. Any objections? Hearing none, the motion is approved. (*Bangs gavel*)

RESOLUTION NO. 2026-037

A RESOLUTION RESPECTFULLY REQUESTING FINANCIAL ASSISTANCE FROM THE PROVINCIAL GOVERNMENT OF LEYTE, THROUGH HONORABLE GOVERNOR CARLOS JERICHO L. PETILLA, FOR THE REHABILITATION OF THE BRIDGE AT THE BOUNDARIES OF BARANGAYS CANLAMPAY AND LIBO, CARIGARA, LEYTE.

WHEREAS, Sections 16 and 17 of the Republic Act 7160, otherwise known as the Local Government Code of 1991, mandate local government units to provide basic services and facilities, including the construction, improvement, repair, and maintenance of roads and bridges within their jurisdiction;

WHEREAS, the primary modes of transportation from Barangay Canlampay and its nearby barangays, include public utility vehicles PUVs and motorcycles (habal-habal), which are used to transport goods and passengers to various destinations within the Municipality of Carigara;

WHEREAS, there is a river along the boundaries of Barangays Canlampay and Libo, where the provincial road passes through, with box culverts serving as water outlets;

WHEREAS, the box culverts and a portion of the road, with a length of approximately twenty (20) meters, are situated ten (10) meters below the elevation, resulting in water overflow during rainy days and causing flooding, thereby rendering the affected portion of the road impassable to residents, vehicles, and motorcycles, and significantly affecting the mobility of goods and

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

services, as well as the transportation of students and teachers to various parts of the Province of Leyte;

WHEREAS, recognizing the financial limitations of the concerned Barangays, the Sangguniang Bayan deems it proper and appropriate to request financial assistance from the Provincial Government of Leyte through Honorable Governor Carlos Jericho Petilla;

NOW, THEREFORE, premises considered, on joint motion of Hon. Vilma M. Domus, Hon. Guillermo I. Panal, and Hon. Carlo Angelo B. Go, duly seconded by the Members of the Sangguniang Bayan, be it

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby requests financial assistance from the Provincial Government of Leyte, through Honorable Governor Carlos Jericho L. Petilla, for the Rehabilitation of the Bridge at the boundaries of Canalampay and Libo, Carigara, Leyte.

RESOLVED FINALLY, that copies of this Resolution be furnished to Honorable Carlos Jericho L. Petilla, Governor of the Province of Leyte, New Leyte Provincial Complex, Brgy. Guindapunan, Palo, Leyte, for information and favorable consideration.

APPROVED UNANIMOUSLY

* * * * *

ADJOURNMENT

HON. CARLO ANGELO B. GO, SB Member

There being no other matters to discuss, I move for the adjournment.

(It was seconded by the members of the Sangguniang Bayan.)

HON. JIMMY A. CAMPOSANO, Presiding Officer

There was a motion for the adjournment, seconded by the members present. The motion is approved. *(Bangs gavel)*

The session was adjourned at about 1:00 o'clock and 33 minutes post meridiem.

The next regular session will be on February 2, 2026

CARRIED UNANIMOUSLY

* * * * *

ADOPTED per SB Resolution No. 2026-043 dated February 9, 2026

* * * * *

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

JIMMY A. CAMBOSANO
Mun. Vice Mayor - Presiding Officer

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

JOENLEE C. LARRAGA
SB Member

MYLA L. AGUILAR
SB Member

GUILLERMO L. PANAL
SB Member

ARVIN N. URMENETA
SB Member-LnB Pres.

Attested:

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Transcribed:

FE P. OLEDAN
Computer File Librarian II

Reviewed:

PAULINO T. MARQUEZ
Legal Assistant

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

COMMITTEE ON GAMES and AMUSEMENT

May 26, 2026

Joan Grace Pornian
5/28/26 @ 10:44 am

THE HONORABLE MEMBERS
Sangguniang Bayan of Carigara
Carigara, Leyte

Sirs/Mesdames:

This refers to the *Petition for Review* filed by Patrick V. Makabenta, entitled: *"Patrick V. Makabenta, Petitioner, versus Sangguniang Bayan of Carigara, Leyte, and Hon. Eduardo T. Ong, Jr., in his capacity as Municipal Mayor of Carigara, Leyte, Respondents,"* seeking the review of Municipal Ordinance No. 2026-054 of the Municipality of Carigara, Leyte.

The foregoing Petition for Review was duly received by the Sangguniang Panlalawigan on May 21, 2026. Pursuant to its authority under the Local Government Code of 1991, particularly the power of the Sangguniang Panlalawigan to review ordinances enacted by component cities and municipalities within its jurisdiction, the matter was included in the agenda of its regular session and thereafter referred to the Committee on Games and Amusements and the Committee on Rules, Laws, and Privileges for appropriate study, evaluation, and recommendation.

In connection therewith, and in observance of the fundamental requirements of due process and administrative fairness, this Committee respectfully requires the Respondents to submit their respective written Comment on the aforesaid Petition for Review within fifteen (15) days from receipt hereof.

The Committee expresses its appreciation for your cooperation and assistance in the orderly and expeditious resolution of this matter.

Thank you very much.

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CABALLES
DATE:

Respectfully,

HON. MICHAEL L. CARI
Chairperson
Committee on Games and Amusements

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
MAY 21 2026
Time:
By:

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
SANGGUNIANG PANLALAWIGAN
Tacloban City

PATRICK V. MAKABENTA,
Petitioner,

-versus-

SANGGUNIANG BAYAN OF CARIGARA, LEYTE, and HON. EDUARDO T. ONG JR. in his capacity as Municipal Mayor of Carigara, Leyte,
Respondents.
x----------x

IN RE: PETITION FOR REVIEW OF MUNICIPAL ORDINANCE NO. 2026-054 OF THE MUNICIPALITY OF CARIGARA, LEYTE

PETITION FOR REVIEW

Petitioner, through counsel, respectfully states:

PARTIES

1. Petitioner **Patrick V. Makabenta** is the grantee of a cockpit franchise under Municipal Ordinance No. 2022-133, with principal address at Nauguisan, Carigara, Leyte;

2. Respondent **Sangguniang Bayan of Carigara, Leyte** is the municipal legislative body which enacted Municipal Ordinance No. 2026-054[1] revoking petitioner's franchise.

3. Respondent Hon. Eduardo T. Ong Jr. is nominally impleaded as the Municipal Mayor who approved the ordinance.

[1] **Annex "A"** – Municipal Ordinance No. 2026-054 entitled "An Ordinance Revoking or Cancelling Municipal Ordinance No. 2022-133 entitled "An Ordinance Granting Cockpit Franchise to Mr. Patrick V. Makabenta To Establish, Operate, and Maintain a Cockpit Arena in the Municipality of Carigara, Leyte"

NATURE OF THE PETITION

4. This Petition is filed pursuant to **Sections 56-59** of the **Local Government Code of 1991**, assailing the legality of Municipal Ordinance No. 2026-054 revoking petitioner's franchise to operate a cockpit.

ANTECEDENT FACTS

5. Sometime on January 3, 2008 the Sanguniang Bayan (SB) of Carigara, Leyte enacted Municipal Ordinance No. 07-005 (MO 05) [2] entitled "An Ordinance Regulating the Establishment, Operation, and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Game Cocks in Carigara"

6. Among the salient and related provision in the aforementioned is the "Franchising and Licensing" of cockpits as provided in Sec. 5 with subsections "a" to "e", and Sec. 15 thereof quoted herein as follows:

> *"Sec. 5 FRANCHISING AND LICENSING OF COCKPIT.*
>
> *(a) No person, partnership, corporation or cooperative xxx xxx xxx following;*
> *1. xxx xxx xxx*
> *xxx xxx xxx*
> *8. xxx xxx xxx*
> *(b) xxx xxx xxx*
> *(c) xxx xxx xxx*
> *(d) xxx xxx xxx*
> ***(e) Violations of any of the foregoing provision of this Sec. 5 shall be a ground for revocation of franchise.***
>
> *Sec. 15 PENALTY CLAUSE.*
>
> *Any person or corporation* ***found guilty*** *of violating any provision of this ordinance shall be liable to a fine of not less than One Thousand Five Hundred Pesos (P1,500.00) nor more than*

[2] **Annex "B"** - Municipal Ordinance No. 07-005 entitled "An ordinance Regulating The Establishment, Operation And maintenance of Cockpits Cockfighting And Commercial Breeding of Gamecocks in Carigara'

Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment of not lee than one (1) month nor more than five (5) months or both to such fine and imprisonment at the discretion of the Court."

7. On December 16, 2022 MO 05 was amended through Municipal Ordinance No. 2020-111 [3] (MO 2020-111) entitled "An Ordinance Amending Sec4A, 4c sub-sections 2,3,6, Section 4E, 4F, Section 5A, Section 6A, Section 7 and Section 9 of Ordinance No. 07-005"

8. In reference to the original ordinance (MO 05) particularly Sec. 5 and Sec. 15, no amendment was noted though Sec. 5A was mentioned in the amending ordinance;

9. Sometime on Marcg 16, 2022, Municipal Ordinance No. 2022-133 [4] ("franchise ordinance") was enacted and approved granting franchise to a certain **Patrick V. Makabenta** to establish, operate and maintain cockpit arena in the municipality of Carigara, Leyte;

10. Among the salient and related provision of the franchise ordinance in reference to the appeal is Section 6 thereof quoted herein below as follows:

"Section 6, Additional Condition. - The Grantee shall be allowed to hold cockfighting during Sundays and every week for the purpose. The Grantee shall strictly observe the provisions of Presidential Decree No. 449 otherwise known as the Cockfighting Law of 1974 and pertinent issuance particularly on the allowed day as well as the as well as the prohibited dates to conduct any cockfighting activities as provided therein and ***secure a special permit*** *in holding their hackfights and derbies thereby. No xxx xxx xxx."*

[3] **Annex "C"** - Municipal Ordinance No. 2020-111 entitled " An ordinance Amending Section 4A, 4C, Sub-Section 2,3,6, Sec. 4E, Section 4F, Section 5A, Section 6A, Section 7, And Section 9 of Ordinance No. 07-005 enacted on December 16, 2020

[4] **Annex "D"** - Municipal Ordinance No. 2022-133 entitled "An Ordinance Granting Franchise to Patrick V. Makabenta To Establish, Operate and Maintain Cockpit Arena In the Municipality of Carigara, Leyte

11. During the 35th regular session, the Sanguniang Bayan adopted **Resolution No. 2026-102**[5] entitled *"A Resolution Declaring That Cockfighting Franchise Holder, Mr. Patrick Makabenta Has Committed Violations And Non-Compliance With The Provisions of Municipal Ordinance No. 2022-133 Relevant Municipal Ordinances Regulating Cockfighting, And Presidential Decree No. 449 (Cockfighting Law of 1974);*

12. On March 16, 2026, the Sanguniang Bayan approved Resolution No. 2026-15 [6] entitled *"A Resolution Declaring the Revocation and Cancellation of the Cockfighting Franchise granted to Mr. Patrick Makabenta for Violations and Non-Compliance to the Provisions of Municipal Ordinance No. 2022-133, Existing Relevant Ordinances, and Presidential Decree No. 449"*

13. On **March 26, 2026**, respondent enacted Municipal Ordinance No. 2026-054 entitled *" AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133 entitled AN ORDINANCE GRANTING COCKPIT FRANCHISE TO MR. PATRICK V. MAKABENTA TO ESTABLISH, OPERATE, AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE"*

14. The said Ordinance was approved by Local Chief Executive (LCE) through constructive approval as it was deemed approved pursuant to Sec. 54 (a) & (b) of the Local Government Code of 1991 (RA 7160);

15. The revocation franchise ordinance was premised solely on the aforementioned SB Resolutions Nos. 2026-102 and 2026-115.

GROUNDS FOR THE PETITION

I

RESOLUTIONS NO. 2026-102 and 2026-115 ARE PROCEDURALLY INFIRMED AND INVALID AS IT VIOLATES PETITIONER'S CONSTITUTIONAL RIGHT TO DUE PROCESS.

[5] **Annex "E"** – Resolution No. 2026-102 dated March 2, 2026
[6] **Annex "F"** – Resolution No. 2026-115 dated March 16, 2026

II

THE ORDINANCE AND RESOLUTION HAVE BEEN ENACTED WITH GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION

ARGUMENTS

I. RESOLUTIONS NO. 2026-102 and 2026-115 ARE PROCEDURALLY INFIRMED AND INVALID AS IT VIOLATES PETITIONER'S CONSTITUTIONAL RIGHT TO DUE PROCESS.

16. Resolution No. 2026-102 dated March 2, 2026 was issued by the Sanguniang Bayan (SB) declaring that franchisee holder, Mr. Patrick V. Makabenta committed acts constituting violations and non-compliance with the provision of Municipal Ordinance No. 2022-133, relevant municipal ordinances regulating cockfighting and PD 449 as follows:

(a) Operating Without The Requisite Permit;

(b) Willful Defiance of Local Legislation and Local Executive Orders

(c) Simulation of Ownership and Qualification Misrepresentation

(d) Falsification of Public Record And Obstruction of Legislative Inquiry

(e) On the Real Property And The Issue of Not Having a Licensed Cockpit

17. In concluding the said resolution, the SB attested that the franchise holder was issued two (2) "show cause orders" (SCO) dated December 15, 2025 and February 2, 2026, respectively. Likewise a corresponding written explanations dated January 12, 2026 and February 26, 2026 were submitted thereto. On the basis of the said SCO viz-a-viz the written explanations, the SB issued Resolution No. 2026-112 declaring petitioner to have committed violations and

non-compliance of the corresponding ordinances in relation to the SCO.

18. According to the SB, the franchise holder was given due notice and opportunity to explain when the issued to him the said "show cause orders", and on the basis thereof, their action satisfied already the requirements of due process.

19. From the outset, it was noted that there was no complaint submitted to the August Body over the said violations, either from a third person or from the SB members itself. No privilege speech was made by any of the SB members and neither among them sponsored a resolution for the investigation of the alleged violations of the petitioner. In effect the investigation was initiated without a complaint.

20. As it was initiated solely by the SB without a complaint, it appeared therefore that the SB acted simultaneously as the:

1. Complainant;
2. Investigator;
3. Prosecutor
4. Fact finder, and
5. Adjudicator

I.I. Petitioner was not afforded meaningful due process:

21. The supposed "notice and opportunity to explain" as mentioned in the said Resolution No. 2026-102 consisted merely of *(a) submission of written explanation, and (b) internal deliberation of the SB*. Without having conducting an invitation to the persons concerned, i.e. Patrick V. Makabenta and "Joselu N. Guia (Seloy)" as follow up investigations to clearly ferry the truth, the SB instead proceeded to the conclusions of findings on the basis of the written explanation. Worst is that they did not even notify the petitioner immediately after the issuance of the said resolution. Clearly the actions of the SB falls short of the constitutional standard to due process because the constitutional requirement of due process demands more than a mere invitation to explain.

22. In Ang Tibay v. Court of Industrial relations, the SC laid down the cardinal primary rights including *(a) Right to hearing; (b) Right to present evidence (c) Decision based on substantial evidence.*

23. In the aforementioned investigation, ***NO*** *such procedural safeguards were observed.*

24. On the contrary, the resolution itself already demonstrated prejudgment and bias because it conclusively declared the existence of the violations and falsifications without: (a) a formal administrative complaint (b) sworn testimonies (c) presentation of competent evidence (d) cross examinations (e) impartial hearing officer a proper adjudicative proceedings.

25. All these violates the cardinal primary rights an administrative due process under Philippine jurisprudence.

26. The findings contained in the Resolution are punitive and accusatory in nature. They carry stigmatizing conclusions that effectively condemned the franchise holder without judicial process.

27. Thus, *A defective resolution cannot legally serve as the factual basis for a subsequent revocation ordinance.*

I.II. The Resolution contains findings on matters beyond the competence of the Sangunian.

28. The Resolution made conclusions regarding: *(a) simulation of ownership; (b) Falsification of public record (c) And misrepresentation.*

29. These matters/issues clearly involved criminal and evidentiary determinations where only courts or authorized administrative agencies may conclusively determine such issues after formal proceedings.

30. *Clearly, the SB has no authority to declare that a person committed falsification or simulated ownership absent a judicial findings.*

31. *Therefore these portions of the resolutions are void for being arbitrary and beyond legislative authority.*

I.III. The Resolution was used as a predetermined basis for revocation, showing grave abuse of discretion.

32. The language of the Resolution already pre-determined that the franchise holder committed violations and that the cockpit operation must therefore immediately ceased'.

33. This demonstrates that the legislative body had already formed a conclusion before the enactment of the revocation ordinance.

34. The subsequent ordinance revoking the franchise therefore appears to have been based on a prejudged and legally defective resolution rather than on an independent and lawful determination

35. This constitute grave abuse of discretion amounting to lack or excess of jurisdiction

I.IV The resolution is arbitrary because it relied on unsubstantiated and conclusory allegations.

36. The Resolution contains sweeping accusations but *does not identify any specific evidence relied upon, sworn witnesses, authenticated records, factual basis sufficient to support its conclusions.*

37. The accusation is largely conclusory as the findings for simulation of ownership, falsification and obstruction were declared without citation of any judicial or administrative finding. Government action affecting vested rights must rest on substantial evidence, not speculations or political conclusions.

I.V. The resolution is void as the alleged violations were never the subject of a proper administrative case.

38. If there was no formal administrative complaint specifically charging the franchise holder with violations and giving him notice of charges, hearing and opportunity to present evidence, and impartial determination, ***then the resolution is void for denial of procedural due process.***

39. Being void, the resolution cannot validly support the subsequent resolution and ultimately the revocation ordinance.

40. A void act produces no legal effect.

41. If Resolution No. 2026-102 is unconstitutional, ultra vires, arbitrary, and void, then any resolution/ ordinance relying substantially upon it, is likewise vulnerable to invalidation. *Thus Resolution No. 2026-115 as well as the revocation ordinance becomes* ***tainted*** *because its factual foundation is* ***legally defective.***

42. Moreover, Ordinance No. 2026-054 heavily relied upon the findings of Resolution No. 2026-102. If the underlying resolution is void or procedurally infirm, the subsequent ordinance may likewise be invalid for being anchored upon an unlawful factual premise.

I.VI. Lack of clear statutory authority to revoke without prior administrative or judicial proceedings

43. Under Presidential Decree No. 449 (Cockfighting Law of 1974), regulation of cockpits involves licensing and permitting requirements, but closure or revocation actions must still comply with due process and applicable administrative procedures.

44. Thus, the allegations involving: (a) *absence of DAR conversion order*, (b) *ownership simulation*, (c) *falsification*, (d) *licensing defects*, are matters ordinarily falling within the jurisdiction of the (a) **courts**, (b) **DAR**, (c) **licensing authorities**, (d) **prosecutors, or executive agencies**, and **NOT** solely within unilateral legislative determination by the Sanggunian.

45. Hence, the ordinance and resolution may be challenged as having been enacted with grave abuse of discretion amounting to lack or excess of jurisdiction.

II. THE ORDINANCE HAVE BEEN ENACTED WITH GRAVE ABUSE OF DISCRETION AMOUNTING TO LACK OR EXCESS OF JURISDICTION.

II.I The ordinance is invalid for failure to conduct public hearing and consultation.

46. While Republic Act No. 7160 does not expressly state in one sentence that a "revocation of a cockpit franchise requires a public hearing," several provisions of the LGC, read together with due process jurisprudence, strongly support the position that a public hearing or consultation is indispensable before an ordinance revoking a cockpit franchise may validly be enacted.

47. **Section 447(a)(3)(v), LGC** — grants the Sangguniang Bayan the power to "authorize and license the establishment, operation and maintenance of cockpits." Because the franchise is granted through ordinance as an exercise of delegated police power, its withdrawal must likewise comply with due process and procedural fairness.

48. **Section 16, LGC – General Welfare Clause** Although LGUs may regulate businesses under police power, the exercise thereof must be reasonable, non-oppressive, and consistent with due process.

49. **Section 27, LGC – Prior Consultations Required** No project or program shall be implemented unless consultations are conducted with affected persons. By analogy, revocation of a long-standing cockpit franchise affecting property rights, livelihood, employment, and investments should first undergo hearing and consultation.

50. More importantly, Philippine jurisprudence recognizes that:

(1) a cockpit franchise is a protected property/business interest once granted;
(2) ordinances affecting vested rights must comply with substantive and procedural due process;
(3) local legislative power is not absolute.

51. In Tano v. Socrates, the Supreme Court held that police power measures of LGUs must satisfy due process and reasonableness standards. Likewise, in White Light Corporation v. City of Manila, the Court ruled that ordinances interfering with lawful business operations are subject to strict scrutiny for arbitrariness and unreasonableness.

52. "The enactment of an ordinance revoking an existing cockpit franchise without prior public hearing or stakeholder consultation violates the due process clause, the participatory governance policy under the Local Government Code, and constitutes an arbitrary exercise of police power."

II.II. The ordinance was passed in a single session only indicative of lack of deliberation and due process, ultimately lack of public hearing.

53. Generally, an ordinance may be passed during a single session day if the procedural requirements under the Local Government Code of 1991 and the internal rules of the sanggunian are complied with. However, a revocation ordinance affecting an existing franchise or vested right is highly vulnerable to challenge if rushed through in only one session without adequate deliberation, notice, and hearing.

54. An ordinance revoking a gallera franchise is not an ordinary administrative measure. It affects: vested business rights; livelihood; investments; employment and property interests.

55. Because of its serious consequences, the ordinance requires: careful deliberation; committee evaluation; notice to affected parties; and opportunity for participation.

56. If the ordinance was introduced, deliberated, and approved all on the same day, this strongly suggests: arbitrariness, predetermined action, bad faith, and denial of meaningful participation.

II.III. The ordinance may violate the rules on readings and committee deliberations under the Internal Rules of Procedures of the SB.

57. Under the Local Government Code of 1991 as well as its corresponding Internal Rules of Procedures , proposed ordinances ordinarily undergo:

First Reading; The title and number are read. The ordinance is referred to the appropriate Committee. No debate yet.

Second Reading; The Committee Report is read. Full debate, amendments and public hearing usually happen here. This is the substantive stage.

Third and Final Reading: Final version is voted on. No amendments allowed except for style/grammar.

58. Although local sanggunians may suspend rules under certain circumstances, the suspension cannot be used to defeat constitutional due process or to railroad punitive legislation.

59. If the ordinance was enacted in one session without: committee referral, committee report, public consultation, or separate readings, the ordinance may be attacked for grave abuse of discretion, procedural irregularity, and violation of the sanggunian's own rules of procedures..

60. While no law absolutely prohibits passage of an ordinance in a single session day, a revocation ordinance affecting an existing gallera franchise may be declared invalid where the one-day enactment resulted in lack of public hearing and absence of committee deliberation. or non-compliance with procedural requirements under the Local Government Code and the sanggunian Internl Rules of Procedures (IRP)

61. Accordingly, the one-day enactment strongly supports an argument that the ordinance was arbitrary, oppressive, and unconstitutional.

II-IV. The ordinance impairs vested rights and is ultra vires.

62. A franchise, once granted, cannot be arbitrarily revoked without due process.

61. In **Philippine Communications Satellite Corp. v. Alcuaz**, the Court held that:

61.1. Administrative or regulatory actions affecting vested rights must comply with due process.

62. Similarly, in **Ortigas&Co. Limited Partnership v. Feati Bank**, it was emphasized that:

62.1. Rights once vested cannot be impaired arbitrarily.

62.2. The ordinance, by summarily revoking petitioner's franchise, violates these principles.

63. Finally, petitioner requested a copy of the minutes/journal, resolutions, ordinances all other documents in relation to the deliberations of the resolutions and ordinance with the SB and was informed that its released will be on the last working day of this month (May). hence could not be incorporated to this petition as of this filing praying reservation that petitioner be allowed to submit upon its release.

ATTACHMENTS

64. In the meantime, petitioner is attaching certain documents marked as;

a. **Annex "A"** - Municipal Ordinance No. 2026-054

b. **Annex "B"** - Municipal Ordinance No. 07-005

c. **Annex "C"** - Municipal Ordinance No. 2020-111

d. **Annex "D"** - Municipal Ordinance No. 2022-133

e. **Annex "E"** - Resolution No. 2026-102

f. **Annex "F"** - Resolution No. 2026-115

PRAYER

WHEREFORE, premises considered, it is respectfully prayed that the Honorable **Sangguniang Panlalawigan**:

1. **DECLARE Municipal Ordinance No. 2026-054 INVALID and UNCONSTITUTIONAL;**

2. **SET ASIDE the revocation of petitioner's cockpit franchise;**

3. **ORDER the suspension of the enforcement of said ordinance;**

4. Grant such other reliefs as are just and equitable.

Tacloban City for Carigara, Leyte, May 19, 2026.

ATTY. EDWIN B. JOMADIAO
Counsel for the Petitioner
Room 215, Melecio Tan Building
Salazar cor. Zamora Streets, Tacloban City
PTR No. 8814543/01-05-2026/Tacloban City
IBP No. 566979/12-17-2025/Leyte Chapter
MCLE Comp. No. VIII-0008885/April 14, 2028
Roll of Attorney No. 39792
Email Add: edwinjomadiao.lawoffice.ph@gmail.com

VERIFICATION and CERTIFICATION OF NON-FORUM SHOPPING

That I, **PATRICK V. MAKABENTA**, under oath declares:

1. That I am the petitioner in the above-entitled case and have caused the preparation and filing of this Petition For Review; have read and understood the same; that all the allegations contained therein are true and correct to our own personal knowledge and based on authentic documents; That the pleading is not filed to harass, cause, unnecessary delay, or needlessly increase the cost of litigation; and That the factual allegations therein have evidentiary support or, if specifically so identified will likewise have evidentiary support after a reasonable opportunity for discovery;

2. That I hereby certify under oath that I have not filed any other action involving the same issues in the Supreme Court, Court of Appeals or different divisions thereof, or any other tribunal or agency, and to the best of our knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals or any other tribunal or agency; If we should thereafter learn that a similar action or proceeding has been filed or is pending before the Supreme Court, the Court of Appeals, or any other tribunal or agency, we undertake to report that fact within five (5) days therefrom to this Honorable Court.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 19th day of May 2026 at Tacloban City, Leyte Philippines.

PATRICK V. MAKABENTA
Affiant

SUBSCRIBED AND SWORN to before me this 19th day of May 2026 at Tacloban City, Philippines. Affiants exhibited to me his Driver's License with No. H02-15-005708 valid id until 22 NOV 2034 as competent proof of his identity.

Doc No. 467;
Page No. 95;
Book No. VIII;
Series of 2026;

ATTY. WENCESLAO L. NARIDO, JR.
Notary Public
Carigara, Leyte
Notarial Commission Renewed | Valid Until 31DEC26
Attorney's Roll No. 32637
IBP Lifetime Member No. 08599 Leyte Chapter
MCLE Compliance No. VIII-0033074 | Valid Until 14APR28
PTR No. 13656801 | 05JAN26 | Carigara, Leyte

ANNEX " A "

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-Oo-
OFFICE OF THE SANGGUNIANG BAYAN

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 38TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SB SESSION HALL, LEGISLATIVE BLDG. CARIGRA LEYTE ON MARCH 26, 2026

* * * * *

PRESENT:

Hon. Jimmy A. Camposano ---------- Mun. Vice Mayor/Presiding Officer
Hon. Fernando N. Moriel ---------- SB Member
Hon. Vilma M. Domus ---------- SB Member
Hon. Mildred C. Modesto ---------- SB Member
Hon. Carlo Angelo B. Go ---------- SB Member
Hon. Joenlee C. Larraga ---------- SB Member
Hon. Myla L. Aguilar ---------- SB Member
Hon. Guillermo I. Panal ---------- SB Member
Hon. Arvin N. Urmeneta ---------- SB Member-LnB President
Hon. Daniel N. Ariaso, Jr. ---------- SB Member-SK Fed. Pres.

ABSENT:

Hon. Upiano U. Arpon, Jr. ----------SB Member-Forced Leave

MUNICIPAL ORDINANCE NO. 2026-054
Series of 2026

AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133 entitled "AN ORDINANCE GRANTING A COCKPIT FRANCHSIE TO MR. PATRICK V. MAKABENTA TO ESTABLISH, OPERATE, AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE"

Authored by: Hon. Fernando N. Moriel

WHEREAS, the Sangguniang Bayan of Carigara enacted Municipal Ordinance No. 2022-133 granting a cockpit franchise to Mr. Patrick Makabenta to operate a cockpit within the Municipality of Carigara, Leyte;

cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and makes known his decision by word or gestures on the results of the cockfight 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, or other things of value, bets with other bettor/s through the bet manager, or through the bet solicitor (Kristo), and wins or loses his bet depending upon the result of the cockfight as announced by the Referee, (Kuyme or Sentenciador). He may be the owner of the fighting cocks.

k) Bet Fixer (Kasador/Cockpit Cashier) – A person who receives the matched money from the contending cock owner, computes and accounts the percentage commission for the cockpit and for taxes due to the municipal government.

l) Promoter – A person or group of persons who, by means of a written or verbal invitation to cockfighting aficionados initiate the holding of cockfights.

m) Sultador – The owner of the gamecock himself or any person designated by himself to release the gamecock for the combat.

n) "Taga-bulong" – Refers to an individual who, by customs and traditions, attend to the medical needs of wounded gamecock.

o) Breeder – One engaged in the activity or producing game fowls and for commercial purposes.

p) Gamecock – Refers to domesticated fowl, whether imported or locally breed, trained and conditioned for actual cockfighting or for propagation and breeding.

q) Game Fixer (Tiyopidor) – Any person who allows, promotes, or participates in any arrangement, combination, scheme, or agreement by which the result of any cockfight shall be predicted and/or known by means other than the result of the fighting ability of the contending fighting cocks such as, but not limited to, its poisoning, injuring or wounding.

r) Betting Mode (Logro) – A way of calling bets done, and being resorted to, with the consent and agreement of the bettor, either to fast-track or pursue he cockfighting contest.

The Betting Mode, or "Logro", may either be:

Nueve	meaning	9.00 wins 10.00
Diez	meaning	8.00 wins 10.00
Tag—upat/upat-tolo	meaning	7.50 wins 10.00
Siete-Diez	meaning	7.00 wins 10.00
Tres-a-Dos	meaning	2.00 wins 3.00
Sais-Diez	meaning	6.00 wins 10.00

4) No cockpit shall be constructed without first securing the necessary requirements and approval from different government agencies concerned such as, Building Permit, compliance of with the Zoning Ordinance and the Comprehensive Land Use Plan (CLUP) of the Municipality, Sanitary Permit and Environment and Natural Resources (DENR), Department of Agrarian Reform (DAR) if it needs conversion of land use, Housing and Land Use Regulatory Board;

5) Cockpit building shall be provided with basic facilities such as ventilation, fire extinguisher, canteen, separate comfort rooms for men and women, water and lighting facilities;

6) Neither shall permit be issued for the construction or operation of cockpit on a lot less than five thousand (5,000) square meters, inclusive of all the amenities.

7) The construction of the cockpit shall be allowed only after the necessary public consultation/hearing shall have been properly conducted by the Sangguniang bayan and a favorable action shall have been issued therefore;

Except Sub-section 5, the requirements provided for in this Section 4, Sub-section 1 to 7 shall not apply to duly enfranchised licensed cockpit in Carigara, Leyte if any, prior to the approval of this ordinance. The concerned Committee of the Sangguniang Bayan of Carigara, Leyte is hereby mandated to issue rules and regulations implementing this Ordinance shall not be inconsistent herewith,

d) Except as provided in this ordinance, the holding of cockfighting shall be allowed only in the licensed cockpit and on such days or occasions, as:

1. REGULAR Cockfighting is allowed only on SUNDAYS and TOWN FIESTA,
2. SPECIAL cockfights or "Pintakasi" or "Derby" are allowed in any day of the week, except SUNDAY, and for not more than three (3) days. it may also be held during Foundation Day, tourism, agricultural, commercial or industrial fair, carnival or exposition, for a similar period of three (3) days which shall be authorized through an appropriate resolution of the Sangguniang Bayan of Carigara; PROVIDED, that no cockfighting shall be held on June 12, (Philippine Independence Day), November 30, (National Heroes Day), December 30, (Rizal Day), Holy Thursday, Good Friday, Election Day, Registration Period, and such other days as may be prescribed as banned for cockfighting by the COMELEC.

e) Cockfighting for Charitable Purposes or for Entertainment of Tourists – Subject to the provision of the preceding sub-section, the Municipal Mayor may allow the holding of derby and other forms of cockfighting only in the licensed

b) The period of the Franchise shall be subject to the discretion of the Sangguniang Bayan, provided, however, that it shall not be more than twenty five (25) years nor less than ten (10) years from date of issuance.

c) Only a franchise holder shall be given license or permit to operate a cockpit by the Municipal Mayor upon satisfactory proof that the applicant is qualified and has complied with the requirements of this Ordinance and upon payment of all fees. The license or permit is renewable annually on or before 20th day of January of each year until the expiration of the Franchise.

d) The License to operate shall be known as "Cockpit Operator's Permit". The franchise and license is strictly personal to the Franchisee/Licensee and, therefore, non-transferable.

e) Violation of any of the foregoing provisions of this Section 5 shall be a ground for revocation of franchise.

Sec. 6 BUSINESS TAX AND BOOKS OF ACCOUNT AND RECORDS

a) The Franchisee, Licensee, or Grantee of a Cockpit Operators Permit shall pay a Graduated Annual Business Tax at the rate stated in the updated Comprehensive Revenue Code of the Municipality of Carigara, Leyte.

b) The total graduated ta realized within a year shall be appointed into four (4) quarterly installments payable within the first twenty (20) days o the month following the end of every calendar quarter, otherwise, an additional surcharge of twenty-five (25%) per cent shall be impose on the unpaid tax per month until the taxes due are paid, but in no case shall be total interest on the unpaid amount, or portion thereof, exceeds thirty-six (36) months.

c) The cockpit franchisee/owner/operator/manager is required to keep proper books of account and records in connection with the operation of the cockpit. The Municipal Treasurer or his/her representative, shall have the power ti inspect within a reasonable time the said books of actual accounts and records. The books of account or records shall first be registered with the Municipal Treasurer's Office before they are used.

d) The Municipal Treasurer shall have the authority to designate his/her representative/s during the conduct of derby or pintakasi.

Sec. 7 OTHER FEES FOR A LICENSED COCKPIT –

a) In addition, the following fees shall likewise be collected:

1.	Franchise Fee (per annum)	P30, 000.00
2.	Annual Mayor's Permit	5, 000.00
3.	Ocular Inspection Fee	1, 500.00
4.	Regular/Special hackfight (renyas per fight	50.00
5.	Derby renyas (per fight)	100.00
6.	Pintakasi (per day)	1, 000.00
7.	Invitational/Promotional Derby (per day)	2, 000.00
8.	Town Fiesta (per day)	1, 500.00
9.	Barangay Special Permit (per day)	1, 000.00

g) Derby Match Maker ..... P 500.00
h) Tagabulong ..... P 500.00

No license shall be issued to any of the above-mentioned cockfighting official unless he/she is at least 21 years old, of good moral character, of unquestioned integrity, and well-versed in the rules, customs, usages and language of the game. All the above-mentioned persons shall be required to wear their ID's to be issued by the Office of the Municipal Mayor when entering a cockpit.

Sec. 10 SURCHARGE FOR LATE PAYMENT – Failure to pay the taxes and fees herein within the time required shall subject the taxpayer to a surcharge of twenty five percent (25%) of the original amount of tax due.

Sec. 11 ADMINISTRATIVE PROVISION – The following shall be the administrative provisions of this ordinance:

a) During regular and special cockfighting including derbies, only the sultadors and referee/setneciador are allowed to remain inside the arena in order to ensure that there will be no obstruction to be encountered during the fight.

The sultadors or any other person are strictly prohibited from giving any undue influence to the referee in conducting and deciding the outcome of the fight. They are, instead, required to maintain position at any corner of the arena in order not to disturb and confuse the decision of the referee thereby attaining an orderly outcome of the game for the benefit and satisfaction of all.

b) Losing Bettors – The owner or bettor of the losing gamecock shall effect payment of his/her lost bet to the winner/s without unnecessary delay or upon demand by winners or management. Losing bettors found betting without fund, or with insufficient fund shall be punishable in accordance with Section 15 hereof.

c) The Chief of Police of the Municipality shall assign at least two (2) policemen in complete uniform to be posted inside the cockpit or in any place specified in the Special Permit for assistance and to ensure that peace and order is properly observed and maintained. He is also empowered to implement this Ordinance.

d) No person below eighteen (18) years of age shall be allowed to participate in cockfights being held in all cockfighting arenas in the Municipality of Carigara, Leyte.

Sec. 12 PROHIBITED ACTS – The following acts shall be considered a violation of this Ordinance and the violators shall be subjected to the penalties provided for in Section 15 of this Ordinance, to wit:

a) Conducting, engaging or holding a cockfight in a cockpit without a valid Cockpit Operator's Permit or Special Cockfighting Permit;

b) Conducting, engaging, or holding a cockfight on a day which is not authorized or allowed herein;

2. Barangay Clearance
3. Fire Safety Certificate (whenever applicable)

The Municipal Mayor may issue a Mayor's Permit upon presentation of Registration Certificate issued by the Municipal Treasurer.

Sec. 15 PENALTY CLAUSE –

Any person firm or corporation, found guilty of violating any provision of this ordinance shall be liable to a fine of not less than One Thousand Five Hundred Pesos (P1, 500.00) nor more than Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of not less than one (1) month, nor more than five (5) months, or both to such fine and imprisonment, at the discretion of the court.

If any violator is a firm, corporation or a juridical person, the owner, manager, proprietor, president, or any person primarily in charge in the management or administration of the cockpit shall be held liable for the penalty herein provided.

Sec. 16 REPEALING CLAUSE –

All ordinances, resolutions and other rules and regulations issued by the Local Government of Carigara relative to cockpit or cockfighting operations in the Municipality which are inconsistent with any of the provisions of this ordinance are hereby repealed or modified accordingly.

Sec. 17 SEPARABILITY CLAUSE –

If, any reason or reasons, any provision of this Ordinance shall be held invalid, other portions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 18 EFFECTIVITY –

This ordinance shall take effect upon approval by the Sangguniang Bayan of Carigara, Leyte and shall take effect after its posting for twenty one (21) days in three (3) conspicuous places in the Municipality of Carigara, Leyte.

ANNEX "B"

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 05

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA

Authored by: Councilor: Dennis N. Garay

WHEREAS, before the enactment of the Local Government Code of 1991, the supervision, administration and control of the operation of cockpits was under the Philippine Game Fowl Commission, Office of the President;

WHEREAS, one of the powers, duties and functions of the Municipal Sangguniang Bayan as provided for in Sec. 447, par. (a), sub-par. 3 (v) of the Local Government Code of 1991 states, that "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".

WHEREAS, the Sangguniang Bayan, being the legislative body of the Municipality of Carigara, is likewise empowered to enact ordinances approve resolutions and appropriate funds for the general welfare of the municipality's inhabitants in the exercise of the corporate powers of the Municipality and grant franchises, enact ordinances authorizing the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended for the general welfare of the inhabitants;

WHEREAS, in obedience to this legal mandate, there is a need to enact an Ordinance that will regulate and control the establishment and operation of cockpit and cockfighting activities in the municipality of Carigara as well as breeding of gamecocks as these are traditional form of sports handed-down for generations to Filipinos.

WHEREAS, it is declared as policy of the Local Government Unit of Carigara, Leyte that the operation of a cockpit is a mere privilege which cannot ripen into a vested right in favor of the franchise/licensee and in order to exact compliance with this Ordinance whose laudable purpose is to ensure development and promotion of this wholesome recreation and amusement, the Sangguniang Bayan of Carigara, in enacting this Ordinance is mandated to effectively control and regulate cockfighting in the municipality as a source of entertainment rather than an avenue for the proliferation of unreasonable and excessive profit considerations thereby preserving Philippines customs and tradition to enhance national identity;

NOW, THEREFORE, foregoing premises considered, the 14th Sangguniang Bayan of Carigara, in a regular session assembled, hereby ordains, THAT,

Sec. 1. TITLE –

This Ordinance shall be known and cited as "COCKFIGHTING ORDINANCE" of Carigara, Leyte

Sec. 2 SCOPE –

This Ordinance shall govern the establishment, operation, maintenance and ownership of cockpits, and commercial breeding of gamecocks in Carigara, Leyte.

Sec. 3 DEFINITATION OF TERMS –

For the purpose of this ordinance, the following terms shall be understood, applied and construed as follows:

a) Cockfighting (Bulang) – Shall embrace and mean the commonly known game termed cockfighting, which may either be, "hackfight", "pintakasi" or "derby", or variants thereof in our locality.

b) Cockpit (Bulangan) – The property enclosed, fenced premises or compound provided with two or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting, derby, pentakasi, hackfight or its variants in different Philippine localities.

c) Cockfight (Sultada) – The actual fight or physical combat of two (2) pitted or evenly-matched game cocks, where bets on either side are laid. A "karambola", wherein the actual fight or physical combat consists of more than two (2) pitted gamecocks shall be considered a cockfighting.

d) Derby – means a pre-scheduled cockfighting with corresponding minimum weights (except panta derby) and bets. It is a promotion with entry fees. Itt is either panta-derby; 2-cock; 3-cock; 4-cock; 5-cock; 6-cock; 7-cock; 8-cock with specifications to be met and executed by participants.

e) Pit Manager – A person who professionally, regularly and habitually manages a cockpit and cockfight therein. He may or may not be the owner of the cockpit.

f) Bet Manager (Masyador) – A person who calls and takes care of bets for the house (lamisa/paradahan) from owners of gamecocks matched against each and those from other bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission, in the remotest event the masyador accepts bets by and between other bettors, he shall be soiely responsible therefore and in no case shall the cockpit owner/operator be subsidiarily liable for any liability arising therefrom.

g) Bet Taker (Kristo) – A person who assist bettors in calling or soliciting bets and received a commission or fee from bettors. He is not an employee of the cockpit.

h) Gaffer (Mananadi) – A person knowledgeable in the art of arming fighting cocks with gaff or gaffs on either or both legs.

i) Referee (Kuyme or Sentenciador) – A person who watches and oversees the proper gaffing of fighting cocks, determines the physical condition of fighting cocks while

Page 2 of Ord. No. 2026-054 dated March 26, 2026

AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133

WHEREAS, under Presidential Decree No. 449, otherwise known as the Cockfighting Law of 1974, and existing municipal ordinances regulating cockfighting activities, the franchise holder is required to strictly comply with all laws, rules, and conditions imposed therein;

WHEREAS, the Sangguniang Bayan, in the exercise of its regulatory and police power under the Local Government Code (RA 7160), has the authority to regulate cockpits and revoke franchises when the franchisee violates the conditions thereof;

WHEREAS, after due notice and opportunity to explain, the Sangguniang Bayan as described in SB Resolution No. 2026-102 found sufficient grounds to revoke the cockpit franchise granted to the franchise grantee to protect public interest and ensure compliance with existing laws and regulations;

WHEREAS, the Sangguniang Bayan, after due consideration and deliberation, resolved for the revocation and/or cancellation of the cockpit franchise granted to Mr. Patrick V. Makabenta under SB Resolution No. 2026-115 as a mandatory act under Section 7 of Municipal Ordinance 2022-133 upon showing of non-compliances or violations to relevant laws;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Carigara, Leyte, in session duly assembled:

Section 1. **REVOCATION OF MUNICIPAL ORDINANCE No. 2022-133.** The Municipal Ordinance No. 2022-133 that granted a cockpit franchise to Mr. Patrick Makabenta to establish, operate, and maintain a cockpit arena in the Municipality of Carigara, Leyte is hereby REVOKED and or CANCELLED for violations of the provisions of the Municipal Ordinance No. 2022-133, relevant municipal ordinances, and Presidential Decree No. 449 as described in SB Resolution No. 2026-102 and as resolved in SB Resolution No. 2026-115;

AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133

Section 2. **CESSATION OF OPERATIONS.** By virtue of this Ordinance, all cockpit operations conducted under the authority of Municipal Ordinance No. 2022-133 shall immediately cease upon effectivity hereof.

Section 3. **AUTHORITY TO ENFORCE.** The Local Chief Executive is mandated under RA 7160 to implement Section 1 hereof, through the Philippine National Police, Municipal Treasurer, and all other concerned offices, including the implementation of the immediate closure and cessation of the cockpit operations per SB Resolution No. 2026-115 and consistent with the applicable laws and regulations.

Section 4. **REPEALING CLAUSE.** All ordinances, resolutions, rules, and regulations, or parts thereof, inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

Section 5. **EFFECTIVITY.** This Ordinance shall take effect immediately upon approval and compliance with the posting and publication requirements prescribed under the Local Government Code of 1991.

APPROVED this 26th day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte.

Voting on the foregoing Ordinance was as follows:

YES (Favor): Hon. Fernando N. Moriel, Hon. Vilma M. Domus, Hon. Mildred C. Modesto, Hon. Myla L. Aguilar, Hon. Arvin N. Unneneta, and Hon. Daniel N. Ariaso, Jr.

NAYS (Against): Hon. Carlo Angelo B. Go and Hon. Joenlee C. Larraga

EXHIBIT: Hon. Guillermo I. Panal

* * * * *

Page 4 Ord. No. 2026-054 dated March 26, 2026

AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. [illegible]

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JUDITH A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

Concurred:

ARNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member (Vice)

Page 5 Ord. No. 2026-054 dated March 26, 2026

"AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2023-133..."

PLANO C. ARPON, JR.
SB Member (*Absent-Forced Leave*)

JOENLEE C. LARRAGA
SB Member (No)

ANGELA L. AGUILAR
SB Member

GUILLERMO I. PANAL
SB Member (*Inhibit*)

JARVIN N. URMENETA
SB Member-LnB President

DANIEL A. ARIASO, JR.
SB Member- PK Fed. Pres.

Approved:

EDUARDO T. ONG, JR.
Municipal Mayor

Date Approved:

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

ANNEX "C"

ORDINANCE NO. 2020-111

AN ORDINANCE AMENDING SECTION 4A, 4C SUB SECTION 2, 3, 6, SECTION 4E, SECTION 4F, SECTION 5A, SECTION 6A, SECTION 7, AND SECTION 9 OF ORDINANCE # 07-005, ENTITLED "AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA"

Introduced by Hon. Joselu N. Guia

Be it ordained by the Sangguniang Bayan of Carigara, Leyte in regular session assembled, that:

SECTION 1. Sections 4A, 4C, Sub Section 2, 3, 6, Section 4E, Section 4F, Section 5A, Section 6A, Section 7, and Section 9 of Ordinance No. 07, Series of 2005, are hereby amended to read as follows:

SECTION 4. COCKPITS AND COCKFIGHTING, in General

(A) Ownership, Operation and Management of Cockpits-Only Filipino citizens with good moral character, shall be allowed to own, manage and operate cockpit within the Municipality. For sole/individual applicant, priority shall be given to a Carigaran-on, unless otherwise the same is not qualified and no Carigaran-on had shown interest to seek the franchise, interested non-resident will be accepted. In cases where the applicant is a corporation, partnership, associations, and cooperative, majority of the shares/capitalization should be owned by Carigaran-on.

(C) Cockpit Site and Construction-

(2) No cockpit shall be established, maintained and/or operated of not less than 50 lineal meters from the residential or commercial areas. Provided a public consultation or hearing should be conducted. Then, 300 lineal meters in areas like hospitals, school buildings, institutions of learning, churches, charitable institutions as well as other public buildings.

(3) Neither shall a cockpit be constructed at a distance of less than ten (10) meters from the national highway or less than ten (10) meters from the

LIMUAYA. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

ORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

EDUARDO T. ONG JR.
DEAN AARON G. LAURON
JOSELU N. GUIA
OTHELLO M. CRISOSTOMO
SB Member
ARMANDO M. NEGADO
SB Member
REYNALDO A. BODO
SB Member

provincial or municipal road. Furthermore, the cockpit owner/operator shall provide a road right of way to serve as ingress and egress, the cockpit with a width of not less than four (4) lineal meters.

(6) Neither shall permit be issued for the construction or operation of cockpit on a lot less than five thousand (5,000) square meters, inclusive of all the amenities.

(E) Cockfighting for Charitable Purposes or for Entertainment of Tourists - Subject to the provision of the preceding sub-section, the Municipal Mayor may allow the holding of derby and other forms of cockfighting only in the licensed cockpit, for the support of fund raising campaigns for charitable purposes, or for the entertainment of foreign dignitaries, tourists or for returning Filipinos commonly known as "Balikbayans", upon a Resolution approved by the Sangguniang Bayan of Carigara for a period not exceeding three (3) days.

At the close of each derby or pintakasi, the franchisee/owner/operator/licensee of the cockpit shall turn over/remit to the beneficiary the full amount agreed upon.

The franchisee/owner/operator/licensee of the cockpit shall submit within seven (7) calendar days after the holding of derby or pintakasi to the Municipal Treasurer and the Municipal Social Welfare Officer copies of the daily financial report and financial summary thereof.

(F) Barangay Fiesta - Holding of cockfights during barangay fiesta shall be considered "SPECIAL". The Municipal Mayor, upon a resolution approved by the Sangguniang Bayan of Carigara, may allow the holding of cockfighting only in the licensed cockpit. Only one (1) fiesta in a barangay shall be recognized as official barangay fiesta in a year. In the event the date of the fiesta falls on a Sunday and any legal holiday where cockfighting is prohibited, it shall be held before or after such days but in no case shall exceed three (3) days.

In cases where the dates of barangay fiestas fall on same date or are in succession, the holding of cockfighting shall be within ten (10) days before or ten (10) days after the date of their fiesta.

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

EDUARDO T. ONGJR.

DEAN AARON G. LAURON
SB Member

JOSELU N. GUIA
SB Member

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

SECTION 5. FRANCHISING and LICENSING OF COCKPITS

(A) No person, partnership, corporation or cooperative shall be allowed to operate a cockpit within the Municipality of Carigara without securing the appropriate franchise from the Sangguniang Bayan. Franchise applicant/s must meet the requirements as provided for in this Ordinance. The application shall state the name, address, and citizenship of the applicant/s; the name of the cockpit, the particular place where the cockpit is to be established; and such other information and data as maybe needed and shall be accompanied with the following:

1) Copy of the location and vicinity map;
2) Copy of the cockpit building plan;
3) Copy of the building permit;
4) Copy of the declaration of real property for the cockpit or certificate of title if there is any;
5) Copy of the Sanitary Permit;
6) Copy of the Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage CNC) from the Department of Environment and Natural Resources (DENR);
7) Copy of the permit from Department of Agrarian Reform (DAR) if it needs conversion of land use and from Housing and Land Use Regulatory Board (HLURB);
8) Application Fee Receipt and other incidental fees; and list of duly licensed cockpit personnel with corresponding copies of their respective licenses as may be required by law.

SECTION 6. BUSINESS TAX AND BOOKS OF ACCOUNT AND RECORDS

a) The Franchisee, Licensee, or Grantee of a Cockpit Operators Permit shall pay a Graduated Annual Business Tax at the rate stated in the updated Comprehensive Revenue Code of the Municipality of Carigara, Leyte.

SECTION 7-OTHER FEES FOR A LICENSED COCKPIT-

A) In addition, the following fees shall likewise be collected:

1) Franchise Fee (per annum)..... ₱30,000.00

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO L. PANAL
SB Member

REYNALDO A. BODO ARMANDO M. NEGADO OTHELLO M. RISCOSTOMO JOSELU N. GUIA DEANAARON G. LAMRON EDUARDO T. ONG JR.

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

2) Annual Mayor's Permit..... ₱ 5,000.00
3) Ocular Inspection Fee..... ₱ 1,500.00
4) Regular/Special hackfight (renyas per fight)..... ₱ 50.00
5) Derby renyas (per fight)..... ₱ 100.00
6) Pintakasi (per day)..... ₱ 1,000.00
7) Invitational/Promotional Derby (per day)..... ₱ 2,000.00
8) Town Fiesta (per day)..... ₱ 1,500.00
9) Barangay Special Permit (per day)..... ₱ 1,000.00
10) Amusement Tax.....
(Equivalent to 10% of gate proceeds)

B) Resetting or rescheduling of special cockfights or derby where a permit had been previously issued-fifty (50%) of applicable fees as provided in this Section 7 (a), pars, 6,7,8, and 10.

The franchisee/owner/operator/licensee of the cockpit shall pay to the Municipal Treasurer the "renyas" within seven (7) calendar days after the holding of regular and special cockfights or derby.

SECTION 9. FEES ON COCKFIGHTING OFFICIALS - The herein below named cockpit/cockfighting officials shall not act as such in the cockpit or in any cockfight with special cockfighting permit without first securing a license renewable every 20th day of January of each year, from the Office of the Municipal Mayor and upon payment to the Municipal Treasurer of the annual fees, to wit:

A) Pit Manager ..... ₱2,000.00
B) Bet Taker (Masyador)..... ₱1,000.00
C) Referee (Kuyme or Sentenciador)..... ₱1,000.00
D) Gaffer (Mananari)..... ₱1,000.00
E) Bet Fixer (Kasador/Cockpit Cashier)..... ₱1,000.00
F) Bet Caller (Kristo)..... ₱ 500.00
G) Derby Match Maker..... ₱ 500.00
H) Tagabulong..... ₱ 500.00

No license shall be issued to any of the above-mentioned cockfighting official unless he/she is at least 21 years old, of good moral character, of unquestioned integrity, and well-

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

EDUARDO T. ONG JR.
DEAN AARON G. LAURON
JOSELITO N. GUTIA
OTHELLO M. CRISOSTOMO
ARMANDO M. NEGADO
SB Member
REYNALDO A. BODO

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

versed in the rules, customs, usages and language of the game. All the above-mentioned persons shall be required to wear theirs ID's to be issued by the Office of the Municipal Mayor when entering a cockpit.

SECTION 10. Repealing Clause - All local ordinances, rules and regulation or part thereof that are inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.

SECTION 11. Effectivity - This Ordinances shall take effect upon approval.

ENACTED: DECEMBER 16, 2020

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ROMEO M. VIOJAN
SB Secretary

Attested:

EDUARDO T. ONG JR.
Municipal Vice-Mayor/Presiding Officer

Concurred:

JIMMY A. CAMPOSANO
SB Member

LORNA A. MARPA
SB Member

REYNALDO A. BODO
SB Member

OTHELLO M. CRISOSTOMO
SB Member

RAUL Z. LLOREN
SB Member

GUILLERMO C. PANAL
SB Member

ARMANDO M. NEGADO
SB Member

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

Approved:

EDUARDO C. ONG
Municipal Mayor

Date Approved: _____

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No.: 09178161117 E-mail Add.: sanggunianbayancarigara@gmail.com

ANNEX "D"

Page 2 Memo no.2022-058, embodying
Mun.Ord.No.2022-133 –

MUNICIPAL ORDINANCE NO. 2022 – 133

AN ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTBLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE

Introduced by: Hon. Joselu N. Gula

WHEREAS, the Sanggunlang Bayan as a legislative body, by express provision of law is empowered and authorized to license and grant franchise for the establishment, operation and maintenance of cockpits, regulate cockfighting activities, provided that existing rights should not be prejudiced;

WHEREAS, Mr. Patrick V. Makabenta, in his individual capacity has filed his application to be granted a franchise to establish, operate and maintain a cockpit within the territorial jurisdiction of the Municipality of Carigara, Leyte.

WHEREAS, upon consideration of the guidelines in the grant of franchise to operate cockpit as provided for and prescribed under Municipal Revised Cockfighting Ordinance, it appears that Mr. Patrick V. Makabenta, a Filipino citizen and resident of Brgy. Nauguisan Carigara, Leyte had substantially complied said requirements;

NOW THEREFORE, be it ordained that:

SECTION 1. Nature, Scope, Grant of Franchise - subject to the provisions of applicable laws, rules and regulations, a franchise to operate and maintain a cockpit within the Municipality of Carigara is hereby granted to Mr. Patrick V. Makabenta, a Filipino citizen and resident of Brgy. Nauguisan Carigara, Leyte (herein referred to as the Grantee). As such, he is authorized to establish and operate one (1) cockpit arena specifically located at Brgy. Parag-um Carigara, Leyte and which should adhere to the zoning ordinance of the Municipality.

SECTION 2. Declaration of Franchise- shall be valid for a period of twenty-five (25) years commencing from the effectivity of this Ordinance with the option on the part of the Grantee to renew the same for a similar period, subject to the approval of the Sangguniang Bayan.

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

EDUARDO T. ONG, JR.
ABC Vice Mayor-Presiding Officer

DEAN AARON G. LEJARON
SB Member-SK Federation Pres.

JOSELU N. GULA
SB Member-Committee on Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BUDIN
SB Member

IVY MAY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member
(Absent-SL)

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

SHIRLEY U. PANAL
SB Member

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Page 4 of Reso.no.2022-058, embodying
Ord Ord No.2022-133 –

SECTION 4. Prohibition on Sale, Lease, Usufruct and Transfer of Franchise. - This franchise is non-transferable in character, except to his legal heirs limited only up to second degree of consanguinity. As such, the grantee shall not sell, assign, lease, grant the usufruct of, or transfer including any rights and privileges acquired there under to any person without prior notice and approval of the Sangguniang Bayan.

SECTION 5. Mandatory Payment of Taxes and Fees Provision. - The Grantee shall pay all regular taxes and regulatory fees prescribed by updated Revenue Code cockfighting ordinance of the Municipality of Carigara Leyte to the Office of the Municipal Treasurer, except the franchise fee which shall be paid within five (5) years, which is P750,000.00 (25 yrs. x 30,000.00 per annum) of the following scheme:

First Payment – P150, 000.00 upon granting franchise
Second Payment - P150, 000.00 succeeding year on or before the 20th day of January
Third Payment - P150, 000.00 succeeding year on or before the 20th day of January
Fourth Payment - P150, 000.00 succeeding year on or before the 20th day of January
Fifth & last Payment - P150, 000.00 succeeding year on or before the 20th day of January

Total = **P750, 000.00**

Failure on the part of the franchisee to promptly and regularly comply with said tax obligation shall be a ground for the automatic revocation or cancellation of this franchise.

SECTION 5.1 - In the event that the grantee transfers or had died prior to the expiration of 25 years, the successors-in-interest shall no longer pay another franchise fee. Provided that the original franchise fee has already been paid for the whole 25 years.

SECTION 6. Additional Conditions. - The Grantee shall be allowed to hold cockfighting during Sundays and every week for the purpose. The Grantee shall strictly observe the provisions of Presidential Decree No. 449 otherwise known as the Cockfighting Law of 1974 and pertinent issuance particularly on the allowed day as well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a special permit in holding their back fights and derbies thereby. No gambling of any kind shall be permitted on the premises of the cockpit or place of cockfighting during cockfights. The Grantee shall also make available, under reasonable terms, the accommodation of the fund-raising activities for barangay fiestas and accredited association for charitable purposes through cockfighting activities that maybe conducted in the said arena, as part of his social responsibility.

SECTION 7. Revocation Clause. - This franchise including the complimenting business permit to

HON. EVA CAMILOSAND
SB Member

HON. ESTEBAN B. GO
SB Member
(Absent-OB)

HON. JOSE L. TUBON
SB Member

HON. ORLINA A. MARBA
SB Member

HON. CORNELIO L. PENAL
SB Member

operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinances, rules and regulations.

SECTION 8. Effectivity. – This Ordinance shall take effect upon its approval and after due compliance with the publication requirements.

I hereby CERTIFY to the correctness of the foregoing ordinance.

* * * * * *

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING ORDINANCE.

ROMEO M VIDIAN
SB Secretary

Attested:

EDUARDO T. ONG, JR.
Municipal Vice Mayor/Presiding Officer

Concurred:

JIMMY C. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member(Absent-SL)

RAUL Z. LUOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO U. PANAL
SB Member

REYNALDO A. BODO
SB Member

GRACELDA M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.(Absent)

Approved:

EDUARDO C. ONG
Municipal Mayor

ANNEX "E"

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-000-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES JOURNAL OF THE 35TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON MARCH 2, 2026

* * * * *

RESOLUTION NO. 2026-101

A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, RELEVANT MUNICIPAL ORDINANCES REGULATING COCKFIGHTING, AND PRESIDENTIAL DECREE NO. 449 (COCKFIGHTING LAW OF 1974)

WHEREAS, the Sangguniang Bayan of Carigara enacted Municipal Ordinance No. 2022-133 on March 16, 2022, granting a cockpit franchise to Mr. Patrick Makabenta to establish and operate a cockpit within the Municipality of Carigara, Leyte;

WHEREAS, the grant of a cockpit franchise is a privilege subject to strict compliance with the conditions set forth in the franchise and relevant existing municipal ordinances regulating cockfighting and with the Presidential Decree No. 449 otherwise known as the "Cockfighting Law of 1974";

WHEREAS, the Sangguniang Bayan, pursuant to Section 447(a)(3)(v) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is vested with the power to regulate the conduct of cockfighting activities within its territorial jurisdiction;

WHEREAS, sources, reports and findings presented before this

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: [signature]
DATE: 5/4/26

satisfactorily show that the franchise holder committed acts constituting violations and non-compliance with the provisions and conditions of Municipal Ordinance No. 2022-133, relevant municipal ordinances regulating cockfighting, and Presidential Decree No. 449; specifically as follows: (a) OPERATING WITHOUT THE REQUISITE PERMIT. Holding of cockfighting derby activities without securing the required Special Permit from the Municipal Mayor and authorization from the Sangguniang Bayan, in direct violation of Section 6 of Municipal Ordinance No. 2022-133. (b) WILLFUL DEFIANCE OF LOCAL LEGISLATION AND LOCAL EXECUTIVE ORDERS. Deliberate and continued defiance of Sangguniang Bayan Resolution No. 2025-114, as incorporated in the Mayor's Permit, which mandated the exclusive use of the traditional mode of in-person betting, constituting a violation of the conditions of the permit granted. (c) SIMULATION OF OWNERSHIP AND QUALIFICATION MISREPRESENTATION. Violation of the ownership qualification requirements through the discovery of simulation of ownership (misrepresentation of the franchise grantee as the sole true owner of the cockpit), which invalidates the franchise granted. (d) FALSIFICATION OF PUBLIC RECORD AND OBSTRUCTION OF LEGISLATIVE INQUIRY. Falsification of public records by attempting to alter or misrepresent the actual provisions of Municipal Ordinance No. 2022-133 and Section 15 of Municipal Order No. 17-08 in a formal reply to the Show Cause Notice, intentionally misleading the legislative body to circumvent the mandatory automatic revocation provided in Section 7 of Municipal Ordinance No. 2022-133. (e) ON THE REAL PROPERTY AND THE

IDENTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULINO T.
DATE: 5/4/26

A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK VILLASEÑOR HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUN. ORDINANCE NO. 2012-103....

"SUBJECT OF THAT IS NOT A LICENSED COCKPIT. The cockpit arena of the Sabungero Entertainment Center is not a licensed cockpit and is prohibited from operating as Lot 3904-A remains unresolved in reclassification and lacks the required DAR Conversion Order, which is mandatory for any lawful change from agricultural use. Its continued operation constitutes a clear violation of Municipal Ordinance No. 2005-07, Presidential Decree No. 449, and other applicable national and local laws, and must therefore be immediately ceased.

WHEREAS, the franchise holder concerned was given due notice and opportunity to explain the alleged violations and non-compliance to satisfy the requirements of due process;

WHEREAS, after due consideration of the records, reports, and testimonies and

WHEREAS, the Sangguniang Bayan finds that there exists a sufficient factual and legal basis to declare that the franchise holder has committed violations

NOW THEREFORE, on motion of Hon. Fernando N. Moriel, duly seconded by Hon. Myla L. Aguilar Hon. Mildred C. Modesto, and Hon. [illegible] D. Dotillos be it:

RESOLVED AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte in session duly assembled to DECLARE that the

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULINE D. [illegible]
DATE: 5/4/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-000-
OFFICE OF THE SANGGUNIANG BAYAN

Page 2 of 5 – Res. No. 2026-102 dated March 2, 2026 –

"RESOLUTION DECLARING THAT THE CONCESSIONAIRE FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-138."

Concessionaire franchise holder, MR. PATRICK MAKABENTA, has committed violations and non-compliance with the provisions of Municipal Ordinance No. 2022-138, relevant municipal ordinances regulating poultry farming and laws and Presidential Decree No. 953

RESOLVED FURTHER, that this declaration shall serve as the official finding of this honorable body regarding the violations committed by the franchise holder. It shall be used as basis for the appropriate action in accordance with existing laws and ordinances.

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the Municipal Mayor and Mr. Patrick Makabenta for their information.

APPROVED UNANIMOUSLY this 2nd day of March 2026 at the Sanggunian Bayan Session Hall, Carigara, Leyte.

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the Sanggunian on 2 March 2026.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JERRY A. CAMPOSANO
Presiding Officer

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULINO T. MARQUEZ
DATE: 5/4/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Page 5 of 8 – Res. No. 2028-132 dated March 2, 2028–

A RESOLUTION DECLARING THAT THE COUNTERFEITING FRANCHISE HOLDER, MR. RODOLFO A. REBENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE OF THE RESTRICTIONS OF ANTI-SMUGGLING ORDINANCE NO. 2024-133....

Voting is as follows:

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

STEPHEN U. ARPON JR.
SB Member

MYLA L. AGUILAR
SB Member

[illegible]
SB Member

DANIEL N. ARJASO JR.
SB Member- SK Fed. Pres.

[illegible] C. LARRIÑAGA
SB Member
Forced Leave.

ARNOLD N. URMENETA
SB Member- LnB Pres.
OT in Cebu City.

PAUL ANDREI T. [illegible]
3/4/26

ANNEX "F"

REPUBLIC OF THE PHILIPPINES
PROVINCE OF CENTE
MUNICIPALITY OF CANIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES/JOURNAL OF THE 5TH REGULAR SESSION OF THE 20TH SANGGUNIANG BAYAN OF CANIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CAPITOL COMPOUND, ON MARCH 18, 2026.

* * * * *

RESOLUTION NO. 2026-115

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-138, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

WHEREAS, the Sanggunian Bayan, in the exercise of its regulatory [illegible] police power under Section 447 of Republic Act No. 7160 [illegible] Code of 1991, has the authority to regulate [illegible] and ensure compliance with the conditions of franchise [illegible] the municipality;

WHEREAS, the Sanggunian Bayan of Canigara enacted Municipal [illegible] dated [illegible] granting a cockpit [illegible] Patrick Makabenta to operate a cockpit within the [illegible];

WHEREAS, the grant of a cockpit franchise is a mere privilege subject to compliance with the conditions set forth under the Municipal Ordinance No. 2022-138, existing relevant Municipal Ordinances [illegible] and Presidential Decree No. 449 [illegible];

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULA [illegible]
DATE: 5/4/26

Page 2 of 3 – Res. No. 2026-115 dated March 16, 2026-

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE CONFIRMED FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-138, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

WHEREAS, consistent with the requirements of due process, the franchisee was duly notified of the alleged violations and was afforded the opportunity to be heard, including the submission of written explanations, supporting documents, and participation in deliberative proceedings conducted by the Sangguniang Bayan;

WHEREAS, after exercising due process and due deliberation the Sangguniang Bayan of Carigara finds the explanations submitted by the franchisee to be insufficient, unmeritorious, and unsatisfactory to refute the noted breaches;

WHEREAS, official records and findings, as embodied in the aforementioned Sangguniang Bayan Resolution No. 2026-102 dated March 2, 2026, have established that the franchise holder committed [illegible] failure to fully implement and comply with the provisions of [illegible] Municipal Ordinance No. 2022-138, other relevant municipal ordinances, and Presidential Decree No. 449;

WHEREAS, based on the foregoing, the Sangguniang Bayan finds that sufficient, lawful, and legal basis to warrant the revocation and cancellation of the franchise privilege granted to Mr. Patrick Makabenta under the aforementioned Franchise Ordinance No. 2022-138;

WHEREAS, in accordance with Municipal Ordinance no. 2022-138

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: [signature]
DATE: 5/4/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Page 2 of 3 – Res. No. 2026-115 dated March 16, 2026–

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK NAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES AND PRESIDENTIAL DECREE NO. 449.

Section 7 – Revocation Clause, states that: "*The franchise including the corresponding business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinance, rules or regulations.*"

WHEREAS Section 7 of Municipal Ordinance No. 2022-133, further states that the cockfighting franchise granted to Mr. Patrick Nakabenta is hereby declared revoked or cancelled for breach of the conditions of the franchise ordinance, existing relevant municipal ordinances and PD 449;

NOW, THEREFORE on motion of Honorable Fernando N. Moriel, duly seconded by Honorable Wilfredo C. Modesto and Honorable Myla L. [illegible],

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Barangay Leyte in session duly assembled, to DECLARE the REVOCATION and CANCELLATION of the cockpit franchise granted to Mr. Patrick Nakabenta under Municipal Ordinance No. 2022-133, due violations and non-compliances.

RESOLVED FURTHER, that the Municipal Mayor through the

[illegible]

5/4/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Page 4 of 6 – Res. No. 2026-115 dated March 16, 2026–

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK NAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2024-08, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449

Philippine National Police, the Municipal Treasurer, and other concerned offices, be directed to implement, enforce and ensure full compliance with this Resolution, including the cessation of all cockpit operations under the revoked franchise.

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the Municipal Mayor, the Philippine National Police-Carigara Municipal Police Station, the Municipal Treasurer, and other concerned offices for their information and appropriate action.

APPROVED this 16th day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte.

The foregoing Resolution was as follows:

AYES: Hon. Fernando N. Mortel, Hon. Wilma M. Domus, Hon. Mildred C. Modesto, Hon. Nivia L. Aguilar, Hon. Jeffrey D. Dullete and Hon. Dante N. Arlaso, Jr.

NAYS: Hon. Carl Angelo B. Go and Hon. Joenlee C. Larraga

INHIBITION: Hon. Guillermo L. Pinal

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULITO C. [illegible]
DATE: 5/4/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Page 3, 6 – Res. No. 2026-115 dated March 16, 2026–

RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO G.R. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-158 ENSTING RELEVANT MUNICIPAL ORDINANCES AND PRESIDENTIAL DECREE NO. 449.

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

HERBERT A. CAMPOSANO
Vice Mayor/Presiding Officer

ATTESTED:

ENRIQUE M. MADRIL
SB Member

ATTY. A.N. DOMUS
SB Member

ALBERTO C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: PAULINO T. MARQUEZ
DATE: 3/9/26

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-35, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

PEDRO U. ARPON JR.
SB Member

JOCELEE C. LARRAGA
SB Member (NO)

GUILLERMO I. PANAL
SB Member

CYLA L. AGUILAR
SB Member

JERLENE T.
SB Member-LNB Pres

DANIEL N. ARJASO JR.
SB Member-SK Fed. Pres.

PAULINO T.
5/4/26

ANNEX " 1 "

Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA cor. Quezon Avenue, West Triangle, Quezon City
www.dilg.gov.ph

DILG OPINION NO. 17 S. 2025
FEB 13 2025

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELLE A. SILVESTRE-CAGAMPANG
DATE:

ATTY. HARVEY ECKER A. ZAMORA
Secretary to the Sangguniang Panlungsod
Office of the Sangguniang Panlungsod
City of Calapan, Province of Oriental Mindoro

Dear Atty. Zamora:

This has reference to your letter dated 18 October 2024 seeking this Department's legal opinion regarding the adoption of technology-based betting system by cockpit operators in the City of Calapan.

Per the letter, the SP of Calapan City enacted City Ordinance No. 96, Series of 2021 and City Ordinance No. 95, Series of 2021, granting two separate franchises for two cockpit operators in Calapan City.

You represented that the franchisees were required, per National ' 11 / 17
to install technology-based betting machines manned by tellers ins
cockpits. You then stated that installation of these betting machi
convenient and simplified the betting and collection of winnings in the cockpit.

You alleged that you were aware that the issuances by the National IATF on COVID-19 have been revoked. However, you stated that data indicates that the same technology-based betting machines manned by tellers have been continuously used by cockpit operators in other municipalities.

Perusal of the letter reveals that you are seeking guidance and legal opinion on the following matters:

1. Whether or not the Sangguniang Panlungsod of Calapan can legally amend the City Ordinance to allow the use of technology-based betting machines manned by tellers and installed with the cockpit premises during their regular and special cockfights?

2. Whether or not cockpit operators can continue to use technology-based betting machines manned by tellers and installed within the cockpit premises during their regular and special cockfights in the absence of that provision in their franchise?

3. Whether or not the use of technology-based betting machines manned by tellers and installed within the cockpit premises during their regular and special cockfights is legal despite the fact that there is no longer a State of National Health Emergency?

Thus, the request for guidance and legal opinion.

At the outset, we are of the assumption that ***"technology-based betting machines"*** refer to machines used for physical placement of bets situated within traditional cockpits, and not accessible to bettors situated outside the cockpits.

The Sangguniang Panlungsod is authorized under Sec. 458(a)(3)(v) of the Local Government Code to regulate cockfighting.[1] We are of the view that the authority to regulate necessarily includes the amendment of the existing City Ordinance to allow the use of technology-based betting machines.

While "***technology-based betting machines***" installed in the cockpit premises may appear to be covered by the term ***"all-betting platforms that may be situated inside the cockpit"*** mentioned in Section 1[2] of Executive Order No. 09, dated December 8, 2022, this is qualified by the phrase "*any of the following activities relating to E-Sabong*". Moreover, Section 1 likewise states that "*The operations of traditional cockfights authorized or licensed under existing laws shall not be covered by the foregoing suspension.*"

Thus, the Department opines that the use of technology-based betting machines is prohibited only if such is related to E-Sabong. Cockpit operators may continue to use technology-based betting machines installed within cockpit premises as long as this is not expressly prohibited[3] in their franchise and its operation is not accessible to

---

[1] (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;

[2] Section 1. Continued Suspension of E-Sabong Operations. All E-Sabong operations, including all auxiliary E-Sabong operations and off cockpit betting station operations, shall continue to be suspended nationwide. Consistent with the Regulatory Framework for E-Sabong, ESAO, and OCBS issued by the PAGCOR, and relevant laws, rules and regulations, **any of the following activities relating to E-Sabong** is suspended.

a. Live-streaming or broadcasting of live-cockfights outside cockpits or cockfighting arenas or premises where cockfights are being held; and/or
b. Online/remote or off-cockpit wagering/betting on live cockfighting matches, events and/or activities streamed or broadcasted live, regardless of the location of the betting platform, including but not limited to **all betting platforms that may be situated inside the cockpit or cockfighting arenas**, or premises where cockfights are held

The operations of traditional cockfights authorized or licensed under exist covered by the foregoing suspension.

[3] It is a rule of statutory construction that what is not expressly or impliedly prohibited by ... may be done, except when the act is contrary to morals, customs and public order. (Manila Electric Company vs. Public Service Commission, G.R. No. 42317, September 21, 1934.

12 / 17

bettors situated outside the cockpits.

The opinion of this Department is based solely on the facts and representations you have narrated in your letter and our appreciation of the same.

We hope to have addressed your concern accordingly. Thank you.

Very truly yours,

BY AUTHORITY OF THE SECRETARY:

ATTY. ROMEO P. BENITEZ
Undersecretary for External, Legal and Legislative Affairs

CUSELLA/ARPILLS-LRAL (Mawin

Copy furnished:

KARL CAESAR R. RIMANDO, CESO III
Regional Director
DILG – MIMAROPA

ANNEX " 2 "

February 24, 2026

Mr. Joselu N. Guia
Rudlin Subd, Brgy. Abango,
Barugo, Leyte

Re: RESOLUTION NO. 2026-039 B
DIRECTING MR. PATRICK V. MAKABENTA TO SHOW CAUSE

Dear Mr. Guia:

This pertains to the conduct of five (5) *pintakasi/derby* on December 22, 23, 24, 27 and 29, 2025 and January 25, 2026, without prior authority of the Sangguniang Bayan neither any Special Permit issued by the Municipal Mayor, which are the subject of Show Cause Order directed against me as the franchisee of CAC. Copy of the Resolution is hereto attached for reference.

You will recall that I requested authority and permit to conduct *pintakasi/derby* from the Municipal Mayor and/or Sangguniang Bayan on December 22, 23, 24, 27 and 29, 2025, which request was however denied by the Sangguniang Bayan for the reason, among others, that the CAC has still unresolved issues about alleged violations. However, the *pintakasi/derby* conducted on January 25, 2026, I did not request for authorization nor special permit neither did I authorize you to conduct such event. As a matter of fact, majority of the stakeholders of CAC who were present during the meeting called for to tackle the issue did not agree to hold the event.

Despite however of my initial opposition and by other stakeholders we relented and accommodated your request to hold the event on account of your commitment to the participants who already confirmed. Moreover, you undertook and committed to explain to the Sangguniang Bayan about the legality of conducting such events.

In this regard, the undersigned earnestly requests your kind assistance to convey your position to the Sangguniang Bayan on the matter.

Respectfully yours,

Patrick V. Makabenta
Franchisee and Operator | CAC

XPRESS, INC
AL ST., BAYBAY, CARIGARA, LEYTE
: (63) - 053 5461418
. TIN : 008-782-140-00880

127451585600
Serial No : 1-
Invoice No : CGRL
Customer's Copy

NAKABENTA, PATRICK
BRGY NAUGUISAN CARIGARA LEYTE
t No.: 9469748752
mail:

CONSIGNEE: GUIA, JOSELU N
And or/ care of:/
Address: RUDLIN SUBD. ABANGO BARUGO LEYTE
Contact No.: 9190094165

ier N-Pouch Regular

: 1
: VIS-CGR01-CARIGARA
: 02/25/2026 09:19:09 AM
: 02/27/2026 - 03/02/2026
: Visayas
: Delivery
: 10:30 AM
(Kg.) : 0.00

VATable(Freight) : 80.36
Supplies Fee : (0.00)
VAT-Exempt : 0.00
VAT Zero-Rated : 0.00
10AM Pickup Fee : 0.00
Total Sales/Unit Cost: 80.36
12% VAT : 9.64
Amount Due : 90.00
Discount : 0.00
Mode : CASH

Contain : DOCUMENT ONLY.

Track your padala at:
www.lbcexpress.com

Talk to our Care Representative
Tel. (632) 8858-5999
1-800-10-8585-999
*Only for PH outside NCR

ress values your privacy. For more info, visit www.lbcexpress.com/privac

Let us know of your experience:
bit.ly/CSATPh

WARRANTS THAT THE SHIPMENT HAS NO CASH INSIDE. CLAIMS OF CARGO ARE
UP TO ACTUAL DECLARED VALUE ONLY.
agree to be bound with the terms and conditions written at the
forth by LBC EXPRESS

REPUBLIC OF THE PHILIPPINES
Province of Leyte
Municipality of Carigara

MAYOR'S OFFICE
CARIGARA, LEYTE
RECEIVED
By:
Date: Time:

October 17, 2025

HON. EDUARDO T. ONG, JR.
Municipal Mayor
Carigara, Leyte

THROUGH:
The Honorable Members
Sangguniang Bayan of Carigara
Carigara, Leyte

Subject: *Letter of Consideration and Justification from the Members of Canggara Amusement Center (CAC)*

Dear Honorable Mayor Ong and Members of the Sangguniang Bayan:

Warm greetings of respect and gratitude.

In response to the Resolution passed by the Honorable Sangguniang Bayan reiterating the **strict observance of the traditional mode of in-person betting** as provided in the *Municipal Revised Cockfighting Ordinance of Carigara*, the **members of the Canggara Amusement Center (CAC)** respectfully submit this **letter of consideration and justification** for your kind attention, deliberation, and guidance.

The members of CAC humbly seek the indulgence of the Honorable Body to be given an opportunity to present and clarify our position regarding the implementation of the said Resolution. This initiative is being undertaken collectively by the management team of CAC, as the acting owner of the establishment has ceased to cooperate in matters essential to the organization's welfare and compliance with existing municipal regulations.

In light of this situation, we earnestly appeal for the Honorable Mayor and the Sangguniang Bayan's consideration to allow the management team of CAC to formally present our explanation and justification in person. We wish to express our intent to align our operations with the lawful and cultural standards set by the Municipality, while ensuring fairness and proper representation of our organization.

Galaxy S24 Ultra

We trust in your continued understanding and impartial guidance as we work towards resolving this matter in the best interest of all stakeholders and in accordance with municipal ordinances.

Thank you very much for your time, consideration, and continued support.

Respectfully yours,

CANGGARA MANAGEMENT TEAM
Canggara Amusement Center (CAC)
Carigara, Leyte

1. JOSELUN N. GLUA
   Operation Manager

2. ATTY. WENCESLAO NARIDO
   Investor (Legal Support)

3. RAUL X. LLOREN
   Investor (Logistics)

4. ~~DEADIS~~ N. GARAY
   Investor (Auditor)

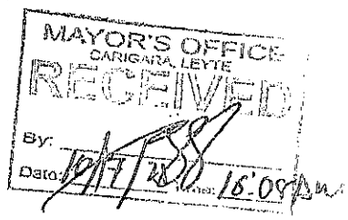
Teodoro N. Parena, M.D

5. Teodoro N. Parena
   Investor (Consultant)

Galaxy S24 Ultra

- Office of the Municipal Treasurer
- Office of the Municipal Administrator
- Sangguniang Bayan Secretary
- File

Republic of the Philippines
Province of Leyte
Municipality of Carigara
CANGGARA AMUSEMENT CENTER (CAC)
Brgy Parag-um, Carigara, Leyte



October 17, 2025

HON. EDUARDO T. ONG, JR.
Municipal Mayor
Municipality of Carigara, Leyte

Thru:

The Honorable Members of the Sangguniang Bayan
Municipality of Carigara, Leyte

SUBJECT:
Reply and Justification to the Resolution Reiterating the Use of the Traditional Mode of In-Person Betting as Provided in the Municipal Revised Cockfighting Ordinance

Dear **Mayor Ong and Honorable Members of the Sangguniang Bayan:**

Warm greetings of respect and appreciation.

This refers to the Resolution passed by the Honorable Sangguniang Bayan reiterating the strict observance of the traditional mode of in-person betting as provided in the Municipal Revised Cockfighting Ordinance of Carigara.

In response, the Canggara Amusement Center (CAC) respectfully submits this reply and justification for your kind consideration and guidance.

1. Preservation of Traditional Roles

The Canggara Amusement Center (CAC) continues to preserve the traditional betting structure and core personnel that define the cultural and operational essence of cockpit arenas in the Philippines. Despite the integration of Technology-Based Betting Machines (TBBMs) to enhance transaction efficiency, the roles of the casador, maciador, and sentenciador remain vital in maintaining the authentic practices, interpersonal interactions, and social order that have long characterized local cockfighting traditions.

1. Casador (Bet Taker or Money Holder)

The *casador* serves as the trusted intermediary between bettors, responsible for collecting, holding, and paying out wagers during each match. Acting as a guarantor of fairness, the casador ensures that all bets are properly matched and honored according to the outcome declared in the arena. In CAC, the casador continues to oversee the legitimacy of each bet and maintains direct interaction with patrons—safeguarding the human element of trust and accountability within the betting process.

2. Maciador (Bet Announcer or Middleman)

The *maciador* plays a central role in orchestrating the betting activity inside the cockpit. Positioned at the center of the arena, the maciador is responsible for announcing and matching bets between opposing parties—those supporting the *meron* (the favored cock) and those betting on the *wala* (the underdog). The maciador's skill in managing crowd engagement, ensuring fairness in bet matching, and maintaining the pace of betting exchanges is essential to the smooth flow of each event. At CAC, the maciador works in coordination with the betting machines to confirm matched wagers, ensuring that both traditional verbal exchanges and automated records are consistent and accurate.

3. Sentenciador (Referee or Fight Judge)

The *sentenciador* serves as the official arbiter of each match, tasked with determining the outcome of the fight based on established rules and customs. His judgment—declaring which cock is the winner or if the match is a draw—is final and binding, forming the basis for all payout decisions. The sentenciador's impartiality and expertise are highly respected in the cockpit community, ensuring credibility and order in every contest. Within CAC, the sentenciador's declaration is synchronized with the betting system, allowing for an accurate and transparent computation of winnings.

Together, these three key figures—the casador, maciador, and sentenciador—embody the cultural continuity and integrity of traditional cockfighting, even as the Canggara Amusement Center adopts modern technological aids. Their continued presence ensures that while innovation supports efficiency and record-keeping, the social, cultural, and ethical foundations of the sport remain intact and respected.

2. Use of "Technology-based Betting Machines" as Mode of Payment

The Canggara Amusement Center (CAC) utilizes Technology-Based Betting Machines (TBBMs) as its primary mechanism for processing wagers and payments within the cockpit premises. These machines serve as automated devices that record, validate, and manage betting transactions during cockfighting events.

In this system, patrons deposit their cash directly into the betting machines, which then generate electronic credits or tickets representing the amount wagered. The machines are physically located inside the cockpit, ensuring that all transactions occur within the regulated environment. Once bets are placed, the machines process the results and dispense corresponding winnings or receipts, depending on the outcome of the game.

Unlike typical cashless systems such as online wallets or credit cards, the TBBMs in CAC are not internet-based payment tools; rather, they function as on-site electronic devices that facilitate faster, more organized, and transparent cash handling during betting activities. This setup reduces manual errors, minimizes disputes, and ensures better monitoring and record-keeping of all betting transactions, while still maintaining a cash-based operation compliant with local regulatory requirements.

It is emphasized that this remains an offline, in-person betting process. Bettors personally hand over their bets to the teller within the cockpit premises. The TBBM device merely facilitates the recording of the transaction electronically for convenience, accuracy, and transparency. Thus, the system does not constitute online betting and does not fall under the prohibited "e-sabong" operations covered by Executive Order No. 9, s. 2022.

3. Clarification on the Term "Talpakan"

The term "talpakan" as cited in the resolution may have been misunderstood. The betting system in the CAC remains person-to-person, where bettors physically hand their bets to the teller inside the cockpit arena. The use of "Technology-based Betting Machine" does not replace or modify this process; rather, it simply provides a safer, traceable, and efficient mode of payment in compliance with proper accounting and collection procedures.

4. Reference to DILG Opinion No. 17, s. 2025 (February 13, 2025)

In reference to the Department of the Interior and Local Government (DILG) Opinion No. 17, s. 2025, dated February 13, 2025, the said issuance recognizes that the use of technology-based betting systems within cockpits may be allowed provided that such systems are:

1. Operated within the confines of the cockpit,
2. Subject to local government regulation.

In line with this, the Canggara Amusement Center (CAC) firmly asserts that its operations fully comply with these conditions. The use Technology-based Betting Machine devices in the betting process is purely a mode of payment—a modern equivalent to cash transaction. The betting itself remains traditional and person-to-person, handled by duly recognized personnel. The Technology-based Betting Machine merely facilitates the payment process and does not constitute online or remote betting as prohibited under the Executive Order No. 9, s. 2022, which suspended online e-sabong nationwide.

Furthermore, the CAC's betting operations are conducted solely within the physical premises of the cockpit, with all bettors present during the conduct of the event. No form of remote access, online streaming, or digital wagering platform is utilized, distinguishing it clearly from the prohibited e-sabong modality.

Hence, it is erroneous to equate CAC's operation with e-sabong. The CAC's system is fully aligned with the intent and spirit of the municipal revised cockfighting ordinance, ensuring that the activity remains traditional, regulated, and transparent while responsibly integrating technological convenience to improve efficiency and accountability.

5. Economic and Fiscal Contributions

The Canggara Amusement Center continues to be a reliable source of local revenue through fees, and other regulatory collections remitted to the Municipal Treasury. Additionally, the operation sustains the livelihood of numerous local vendors, tellers, and support personnel, thereby contributing to the economic activity and employment in Carigara, Leyte. The CAC's operation is fully compliant and serves as an example of responsible local enterprise aligned with municipal revenue-generation objectives.

6. Supporting Legal and Policy References.

- E.O. No. 9, s. 2022 – prohibits online sabong but allows traditional, in-person operations.
- DILG Opinion No. 17, s. 2025 – recognizes technology-based betting systems used within cockpit premises as permissible.

In light of the foregoing, the Canggara Amusement Center affirms that its operations fully adhere to the traditional in-person betting system mandated by the municipal ordinance. The use of Technology-based Betting Machine merely serves as a modernized payment aid that enhances accountability, convenience, and efficiency—without altering the traditional betting process.

We respectfully submit this justification for the consideration of the Honorable Mayor and the Sangguniang Bayan and reiterate our continued commitment to lawful, transparent, and culturally rooted operations that contribute to the development of our municipality.

Respectfully submitted,

CANGGARA MANAGEMENT TEAM
Canggara Amusement Center (CAC)
Carigara, Leyte

1. JOSELUN. GUIA
   Operation Manager

2. ATTY. WENCESLAO NARIDO
   Investor (Legal Support)

3. RAUL Z. LLOREN
   Investor (Logistics)

4. DENNIS N. GARAY
   Investor (Auditor)

5. Teodoro N. Parena
   Investor (Consultant)

Copy Furnished:
- Office of the Municipal Treasurer
- Office of the Municipal Administrator
- Sangguniang Bayan Secretary
- File

December 1, 2025

MAYOR'S OFFICE
CARIGARA, LEYTE
RECEIVED
By:
Date: 12/1/2025 Time: 2:20 PM

HON. EDUARDO T. ONG JR.
Municipal Mayor
Carigara, Leyte

Sir:

Greetings!

The undesigned would like to request from your office to grant Special Permit to hold a 5 days Pintakasi on December 22, 23, 24, 27 and 29 2025 in Christmas Celebration at the Canggara Amusement Center. Brgy. Parag-um, Carigara, Leyte. The purpose of this Event is for entertainment of Tourist at the same time boost our local economy.

Hoping for your Affirmative response. Thank you and more power!

Respectfully yours,

PATRICK V. MAKABENTA
CAC Operation Manager

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHOUYN A. [illegible]
DATE:

CERTIFIED TRUE COPY FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CASAULES
DATE:

overall local development;

WHEREAS, the implementation of the project may require the issuance of permits, clearances, and payment of certain local regulatory fees, which may delay or impede the timely completion of the project if not addressed;

WHEREAS, the Local Government Unit of Carigara recognizes the importance of the Sitio Electrification Project and expresses its full support to ensure its successful and timely implementation for the benefit of its constituents;

NOW, THEREFORE, on motion of Hon. Carlo Angelo B. Go, duly seconded by Members of the Sangguniang Bayan, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte, to express its full support to the 2025 Sitio Electrification Project of the National Electrification Administration being implemented by Leyte III Electric Cooperative, Inc. (LEYECO III).

RESOLVED FURTHER, that the Municipal Mayor, Hon. Eduardo T. Ong, Jr., be hereby authorized to waive applicable local fees, permits, or charges, as well as streamlining of requirements that may be imposed on recipient household during project implementation where legally permissible, in order to facilitate and expedite the implementation of the said project within the municipality.

RESOLVED FINALLY, that copies of this Resolution be furnished to Hon. Eduardo T. Ong, Jr., Municipal Mayor, National Electrification Administration, Leyte III Electric Cooperative, Inc., and other concerned offices for their information and appropriate action.

APPROVED UNANIMOUSLY

* * * * *

VIII. **CALENDAR OF BUSINESS:**

1. Written explanation in compliance with second Show Cause Resolution (SB Resolution No. 2026-039B from Mr. Patrick Makabenta, Franchise Proprietor of Canggara Amusement Center).

After thorough deliberation and exhaustive discussion, Hon. Fernando N. Moriel presented a motion declaring that Mr. Patrick V. Makabenta, CAC Franchise Holder has violated Municipal Ordinance No. 2022-133, relevant Municipal Ordinances and PD 449. It was duly seconded by Hon. Mildred C. Modesto and Hon.

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

ULPIANO U. ARPON, JR.
SB Member

GUILLERMO L. PAMAL
SB Member

MYLA L. AGUILAR
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

NOW, THEREFORE, on motion of Hon. Fernando N. Moriel, duly seconded by Hon. Myla L. Aguilar, Hon. Mildred C. Modesto, and Hon. Vilma M. Domus, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte, in session duly assembled, to DECLARE that thecockpit franchise holder, MR. PATRICK MAKABENTA, has committed violations and non-compliance with the provisions of Municipal Ordinance No. 2022-133, relevant municipal ordinances regulating cockfighting activities, and Presidential Decree No. 449.

RESOLVED FURTHER, that this declaration shall serve as the official finding of this Honorable Body regarding the violations committed by the franchise holder, which may be used as basis for the appropriate action in accordance with existing laws and ordinances.

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the Municipal Mayor and Mr. Patrick Makabenta, for their information.

APPROVED UNANIMOUSLY

* * * * *

After the Body declared and agreed that there was indeed a violation or non-compliance committed by the franchise holder, Mr. Patrick V. Makabenta, and considering further that the Franchise Ordinance provides that any violation warrants the automatic revocation of the franchise granted, Hon. Fernando N. Moriel moved for the cancellation and revocation of the franchise granted to Mr. Patrick V. Makabenta. The motion was objected to by Hon. Ulpiano U. Arpon, Jr. There being an objection, the Chair ruled to divide the House. The voting results were as follows:

- **3 affirmative votes** – Hon. Mildred C. Modesto, Hon. Myla L. Aguilar, and Hon. Fernando N. Moriel;
- **2 negative votes** – Hon. Carlo Angelo B. Go and Hon. Ulpiano U. Arpon, Jr.; and
- **2 abstentions** – Hon. Daniel N. Ariaoso, Jr. and Hon. Guillermo I. Panal.

With three votes in favor and two against, the motion of Hon. Moriel for the revocation of the franchise prevailed. However, since the cancellation of an existing franchise requires the enactment of an ordinance, the Body resolved to proceed with the revocation proceedings

JIMMY A. CAMPOSANO
Mun. Vice Mayor-Pres. Officer

DANIEL N. ARIASO, JR.
SB Member/SK Fed. Pres.

ULPIANO U. ARPON, JR.
SB Member

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BAGONG PILIPINAS
BY: RACHELYN A. SILVESTRE-CANDALUNA
DATE:

possible provision of materials, funding, or collaboration in the installation of a net fencing at the portion of the campus field and court adjacent to the pond area. ***(Referred to the Office of the Mayor through the Municipal Budget Officer for appropriate funding.)***

* * * * *

2. The request of Hon. Joenlee C. Larraga to extend an invitation to PhilHealth Provincial Office to attend the session on March 16, 2026, in order to discuss the various programs and services of PhilHealth, together with the PhilHealth In-Charge or Coordinator in the Municipality was ruled approved.

3. The passage of the proposed Resolution No. 2026-106 titled "**A RESOLUTION EXPRESSING SYMPATHY AND SINCERE CONDOLENCES TO THE BEREAVED FAMILY OF THE LATE HONORABLE RAMON RENDORA, BARANGAY KAGAWAD AND FORMER PUNONG BARANGAY OF BARANGAY UPPER SOGOD, CARIGARA, LEYTE**"

The subject resolution, introduced by Hon. Urmeneta and duly seconded by all members present, was declared by the Chair as duly approved.

* * * * *

4. The letter request of Mark Allan Mollida and Daryl Daniel G. Bodo, President and Vice President of HCCC Class 2001, for approval of the conduct of 3-Day Pintakasi on March 30-31, 2026, and April 1, 2026, at Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte, in connection with the celebration of the 53rd Holy Cross College of Carigara Alumni Homecoming.

Item 4 was laid on the table during the March 2, 2026 session pending submission of the Alumni Board Resolution. Upon compliance with this requirement, Hon. Domus moved to take the matter from the table. Thereafter, following due deliberation, on motion of Hon. Vilma M. Domus, duly seconded by Hon. Larraga, the scheduled cockfighting event on March 30–31, 2026 was declared approved, to wit:

RESOLUTION NO. 2026-107

A RESOLUTION APPROVING THE REQUEST OF HCCC HOST CLASS 2001, REPRESENTED BY ITS PRESIDENT, MARK ALLAN MOLLIDA AND VICE PRESIDENT, DARYL DANIEL G. BODO, TO CONDUCT A PINTAKASI ON MARCH 30-31, 2026, AT CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE, IN CONNECTION WITH THE CELEBRATION OF THE 53RD HOLY CROSS COLLEGE OF CARIGARA ALUMNI HOMECOMING, USING THE TRADITIONAL MODE OF BETTING, AND AUTHORIZING THE

FERNANDO N. MORIEL
SB Member-Temp. Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

VILMA M. DOMUS
SB Member

CARLO ANGELO B. GO
SB Member

MILDRED C. MODESTO
SB Member

ULPIANO U. ARPON, JR.
SB Member

MUNICIPAL MAYOR, HON. EDUARDO T. ONG, JR., TO ISSUE THE NECESSARY PERMIT FOR THE SAID EVENT

WHEREAS, the Holy Cross College of Carigara Alumni Association is scheduled to celebrate its 53rd Grand Alumni Homecoming on April 10-12, 2026;

WHEREAS, relative thereto, the Sangguniang Bayan of Carigara received an endorsement from the Office of the Municipal Mayor dated February 25, 2026, with an attached letter request from HCCC Host Class 2001, to conduct a Pintakasi on March 30-31, 2026;

WHEREAS, the proposed cockfighting event aims to provide entertainment for tourists and balikbayans, and to raise funds in support of the various major activities and awards of the **2026 Holy Cross College of Carigara Grand Alumni Homecoming**;

WHEREAS, PD 449 and Section 4, Par (F) of Municipal Ordinance No. 2020-111 known as "The New Revised Cockfighting", allows the holding of Pintakasi or Derby, or any other forms of cockfighting, for purposes not contrary to law, rules and regulations, provided further that they shall be held only in licensed cockpit;

WHEREAS, finding no cogent reason to deny the subject request, the August Body resolved to authorize the Municipal Mayor to issue the necessary permit for the said events, subject to the condition that the traditional mode of betting shall be strictly observed thereat;

WHEREFORE, on motion of the Honorable Vilma M. Domus, duly seconded by Honorable Joenlee C. Larraga, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby approves the request of HCCC Host Class 2001, represented by its President, Mark Allan Mollida and Vice President, Daryl Daniel G. Bodo, to conduct a Pintakasi on March 30-31, 2026, at Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte, in connection with the celebration of the 53rd Holy Cross College of Carigara Alumni Homecoming, using the traditional mode of betting, and authorizing the Municipal Mayor, Hon. Eduardo T. Ong, Jr., to issue the necessary permit for the said event.

RESOLVED FINALLY, that copy of this resolution be forwarded to Honorable Mayor Eduardo T. Ong Jr., the HCCC Class 2001, and all other offices concerned for their information and guidance.

APPROVED

VILMA M. DOMUS
SB Member

CARLO ANGELO B. GO
SB Member

MILDRED C. MODESTO
SB Member

ULPIANO U. ARPON, JR.
SB Member

FERNANDO N. MORIEL
SB Member-Temp. Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

Myla Ligutan Aguilar nominated Hon. Guillermo I. Panal to serve as Temporary Presiding Officer, which nomination was duly seconded and unanimously approved by all members present.)

* * * * *

7. The passage of the proposed RESOLUTION NO. 2026-110 "**A RESOLUTION IMPOSING A THIRTY (30) DAY SUSPENSION ON THE COCKFIGHTING OPERATIONS OF CANGGARA AMUSEMENT CENTER LOCATED AT BARANGAY PARAG-UM, CARIGARA, LEYTE FOR DELIBERATE AND CONTINUED DEFIANCE OF SANGGUNIANG BAYAN RESOLUTION NO. 2025-114 "REITERATING THE USE OF THE TRADITIONAL MODE OF IN-PERSON BETTING AS PROVIDED IN THE MUNICIPAL REVISED COCKFIGHTING ORDINANCE", AND THE MEMORANDUM ORDER OF THE MUNICIPAL MAYOR DIRECTING STRICT COMPLIANCE THEREWITH"**

On motion of Hon. Fernando N. Moriel, duly seconded by Hon. Mildred C. Modesto and Hon. Myla L. Aguilar, Resolution No. 2026-110 and there being no objection was declared approved.

* * * * *

8. The passage of the proposed RESOLUTION NO. 2026-111 "**A RESOLUTION URGING HON. CARLO ANGELO B. GO, CHAIRMAN OF THE COMMITTEE ON GAMES AND AMUSEMENT AND FRANCHISE TO CONCLUDE THE EXERCISE OF DUE PROCESS IN REFERENCE TO COMMITTEE'S FINDINGS OF THE COCKFIGHTING ACTIVITIES AT CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE AND COME OUT WITH SPECIFIC VIOLATIONS AND NON-COMPLIANCE WITH MUNICIPAL ORDINANCES AND OTHER PERTINENT LAWS IN RELATION TO THE EXISTING RESOLUTIONS OF THE SANGGUNIANG BAYAN MEMBERS CONFIRMING THE EXISTING VIOLATIONS AND NONCOMPLIANCE OF MUNICIPAL ORDINANCE NO. 2022-133."**

On motion of Hon. Fernando N. Moriel, duly seconded by Hon. Myla L. Aguilar and Hon. Vilma M. Domus, Resolution No. 2026-111 and there being no

FERNANDO N. MORIEL
SB Member-Temp. Pres. Officer

ARVIN N. URMENETA
SB Member-LnB. Pres.

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

JOENLEE C. LARRAGA
SB Member

VILMA M. DOMUS
SB Member

CARLO ANGELO B. GO
SB Member

MILDRED C. MODESTO
SB Member

ULPIANO U. ARPON, JR.
SB Member

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 38TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SB SESSION HALL, LEGISLATIVE BLDG. CARIGRA LEYTE ON MARCH 26, 2026

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CABA
DATE:

* * * * *

PRESENT:

Hon. Jimmy A. Camposano ---------- Mun. Vice Mayor/Presiding Officer
Hon. Fernando N. Moriel ---------- SB Member
Hon. Vilma M. Domus ---------- SB Member
Hon. Mildred C. Modesto ---------- SB Member
Hon. Carlo Angelo B. Go ---------- SB Member
Hon. Joenlee C. Larraga ---------- SB Member
Hon. Myla L. Aguilar ---------- SB Member
Hon. Guillermo I. Panal ---------- SB Member
Hon. Arvin N. Urmeneta ---------- SB Member-LnB President
Hon. Daniel N. Ariaso, Jr. ---------- SB Member-SK Fed. Pres.

ABSENT:

Hon. Ulpiano U. Arpon, Jr. ----------SB Member-Forced Leave

MUNICIPAL ORDINANCE NO. 2026-054
Series of 2026

AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133 entitled "AN ORDINANCE GRANTING A COCKPIT FRANCHSIE TO MR. PATRICK V. MAKABENTA TO ESTABLISH, OPERATE, AND MAINTAIN A COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE"

Authored by: Hon. Fernando N. Moriel

WHEREAS, the Sangguniang Bayan of Carigara enacted Municipal Ordinance No. 2022-133 granting a cockpit franchise to Mr. Patrick Makabenta to operate a cockpit within the Municipality of Carigara, Leyte;

"AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133…"

WHEREAS, under Presidential Decree No. 449, otherwise known as the Cockfighting Law of 1974, and existing municipal ordinances regulating cockfighting activities, the franchise holder is required to strictly comply with all laws, rules, and conditions imposed therein;

WHEREAS, the Sangguniang Bayan, in the exercise of its regulatory and police power under the Local Government Code (RA 7160), has the authority to regulate cockpits and revoke franchises when the franchisee violates the conditions thereof;

WHEREAS, after due notice and opportunity to explain, the Sangguniang Bayan as described in SB Resolution No. 2026-102 found sufficient grounds to revoke the cockpit franchise granted to the franchise grantee to protect public interest and ensure compliance with existing laws and regulations;

WHEREAS, the Sangguniang Bayan, after due consideration and deliberation, resolved for the revocation and/or cancellation of the cockpit franchise granted to Mr. Patrick V. Makabenta under SB Resolution No. 2026-115 as a mandatory act under Section 7 of Municipal Ordinance 2022-133 upon showing of non-compliances or violations to relevant laws;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Carigara, Leyte, in session duly assembled:

Section 1. **REVOCATION OF MUNICIPAL ORDINANCE No. 2022-133.** The Municipal Ordinance No. 2022-133 that granted a cockpit franchise to Mr. Patrick Makabenta to establish, operate, and maintain a cockpit arena in the Municipality of Carigara, Leyte is hereby REVOKED and/or CANCELLED for violations of the provisions of the Municipal Ordinance No. 2022-133, relevant municipal ordinances, and Presidential Decree No. 449 as described in SB Resolution No. 2026-102 and as resolved in SB Resolution No. 2026-115;

"AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133…"

Section 2. **CESSATION OF OPERATIONS.** By virtue of this Ordinance, all cockpit operations conducted under the authority of Municipal Ordinance No. 2022-133 shall immediately cease upon effectivity hereof.

Section 3. **AUTHORITY TO ENFORCE.** The Local Chief Executive is mandated under RA 7160 to implement Section 1 hereof, through the Philippine National Police, Municipal Treasurer, and all other concerned offices, including the implementation of the immediate closure and cessation of the cockpit operations per SB Resolution No. 2026-115 and consistent with the applicable laws and regulations.

Section 4. **REPEALING CLAUSE.** All ordinances, resolutions, rules, and regulations, or part thereof, inconsistent with any provision of this Ordinance are hereby repealed or modified accordingly.

Section 5. **EFFECTIVITY.** This Ordinance shall take effect immediately upon approval and compliance with the posting and publication requirements prescribed under the Local Government Code of 1991.

APPROVED this 26th day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

Voting on the foregoing Ordinance was as follows:

AYES (Favor) : Hon. Fernando N. Moriel, Hon. Vilma M. Domus, Hon. Mildred C. Modesto, Hon. Myla L. Aguilar, Hon. Arvin N. Urmeneta, and Hon. Daniel N. Ariaso, Jr.

NAYS (Against): Hon. Carlo Angelo B. Go and Hon. Joenlee C. Larraga

INHIBIT: Hon. Guillermo I. Panal

* * * * *

"AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133…"

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

Concurred:

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member *(No)*

Page 5 Ord. No. 2026-054 dated March 26, 2026

"AN ORDINANCE REVOKING OR CANCELLING MUNICIPAL ORDINANCE NO. 2022-133…"

ULPIANO U. ARPON, JR.
SB Member(*Absent-Forced Leave)*

JOENLEE C. LARRAGA
SB Member (No)

MYLA L. AGUILAR
SB Member 3/20/26 2nd copy

GUILLERMO I. PANAL
SB Member *(Inhibit)*

ARVIN N. URMENETA
SB Member-LnB President

DANIEL N. ARIASO, JR.
SB Member- SK Fed. Pres.

Approved:

EDUARDO T. ONG, JR.
Municipal Mayor

Date Approved:

_____

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Add.:sangguniangbayancarigara@gmail.com

EXCERPT FROM THE MINUTES/JOURNAL OF THE 135th REGULAR SESSION OF THE 18TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON MARCH 16, 2022

* * * * *

PRESENT:

Hon. Eduardo T. Ong, Jr.	---------- Mun. Vice Mayor-Presiding Officer
Hon. Jimmy A. Camposano	---------- SB Member
Hon. Raul Z. Lloren	---------- SB Member
Hon. Lorna A. Marpa	---------- SB Member
Hon. Guillermo I. Panal	---------- SB Member
Hon. Reynaldo A. Bodo	---------- SB Member
Hon. Armando M. Negado	---------- SB Member
Hon. Othello M. Crisostomo	---------- SB Member
Hon. Joselu N. Guia	---------- SB Member-Liga Fed. President

ABSENT:

Hon. Esteban B. Go	---------- SB Member-Sick Leave
Hon. Dean Aaron G. Lauron	---------- SB Member-SK Fed. President

* * * * *

RESOLUTION NO. 2022-058

A RESOLUTION APPROVING ON THIRD AND FINAL READING, THE PROPOSED MUNICIPAL ORDINANCE NO. 2022-133, ENTITLED – "AN ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTABLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE"

WHEREAS, this Body acting favorably on the recommendation of the Committee on Industry, Investment and Franchise for the approval of Municipal Ordinance No. 2022-133 which was embodied in its Committee Report No. 2022-003 and adopted during the Regular Session dated March 16, 2022, has deliberated and approved on its second reading, thus, *on motion of the Honorable Joselu N. Guia, unanimously seconded, be it*

RESOLVED, as it is hereby resolved, to approve on third and final reading, the Municipal Ordinance No. 2022-133, ENTITLED: **"AN ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTABLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE"**", to wit:

EDUARDO T. ONG, JR
Mun. Vice Mayor-Pres Officer

DEAN AARON G. LAURON
SB Member-SK Fed. Pres
(Absent)

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

JIMMY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member
(Absent-SL)

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHEL M. A. SILVESTRE-CADALLOS
DATE:

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: sangguniangbayancarigara@gmail.com

MUNICIPAL ORDINANCE NO. 2022 – 133

AN ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTBLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE

Introduced by: Hon. Joselu N. Guia

WHEREAS, the Sangguniang Bayan as a legislative body, by express provision of law is empowered and authorized to license and grant franchise for the establishment, operation and maintenance of cockpits, regulate cockfighting activities, provided that existing rights should not be prejudiced:

WHEREAS, Mr. Patrick V. Makabenta, in his individual capacity has filed his application to be granted a franchise to establish, operate and maintain a cockpit within the territorial jurisdiction of the Municipality of Carigara, Leyte.

WHEREAS, upon consideration of the guidelines in the grant of franchise to operate cockpit as provided for and prescribed under Municipal Revised Cockfighting Ordinance, it appears that Mr. Patrick V. Makabenta, a Filipino citizen and resident of Brgy. Nauguisan Carigara, Leyte had substantially complied said requirements;

NOW THEREFORE, be it ordained that:

SECTION 1. Nature, Scope, Grant of Franchise - subject to the provisions of applicable laws, rules and regulations, a franchise to operate and maintain a cockpit within the Municipality of Carigara is hereby granted to Mr. Patrick V. Makabenta, a Filipino citizen and resident of Brgy. Nauguisan Carigara, Leyte (herein referred to as the Grantee). As such, he is authorized to establish and operate one (1) cockpit arena specifically located at Brgy. Parag-um Carigara, Leyte and which should adhere to the zoning ordinance of the Municipality.

SECTION 2. Declaration of Franchise- shall be valid for a period of twenty-five (25) years commencing from the effectivity of this Ordinance with the option on the part of the Grantee to renew the same for a similar period, subject to the approval of the Sangguniang Bayan.

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

JIMMY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member
(Absent-SL)

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

EDUARDO T. ONG, JR.
Mun. Vice Mayor-Pres. Officer

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.
(Absent)

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: sangguniangbayancarigara@gmail.com

EDUARDO T. ONG, JR.
Mun. Vice Mayor-Pres. Officer

SECTION 4. Prohibition on Sale, Lease, Usufruct and Transfer of Franchise. - This franchise is non-transferable in character, except to his legal heirs limited only up to second degree of consanguinity. As such, the grantee shall not sell, assign, lease, grant the usufruct of, or transfer including any rights and privileges acquired there under to any person without prior notice and approval of the Sangguniang Bayan.

SECTION 5. Mandatory Payment of Taxes and Fees Provision. - The Grantee shall pay all regular taxes and regulatory fees prescribed by updated Revenue Code cockfighting ordinance of the Municipality of Carigara, Leyte to the Office of the Municipal Treasurer, except the franchise fee which shall be paid within five (5) years, which is P750,000.00 (25 yrs. x 30,000.00 per annum) of the following scheme:

First Payment – P150, 000.00 upon granting franchise
Second Payment - P150, 000.00 succeeding year on or before the 20th day of January
Third Payment - P150, 000.00 succeeding year on or before the 20th day of January
Fourth Payment - P150, 000.00 succeeding year on or before the 20th day of January
Fifth & Last Payment - P150, 000.00 succeeding year on or before the 20th day of January

Total = P750, 000.00

Failure on the part of the franchisee to promptly and regularly comply with said tax obligation shall be a ground for the automatic revocation or cancellation of this franchise.

SECTION 5.1- In the event that the grantee transfers or had died prior to the expiration of 25 years, the successors-in-interest shall no longer pay another franchise fee. Provided that the original franchise fee had already been paid for the whole 25 years.

SECTION 6. Additional Conditions. - The Grantee shall be allowed to hold cockfighting during Sundays and every week for the purpose. The Grantee shall strictly observe the provisions of Presidential Decree No. 449 otherwise known as the Cockfighting Law of 1974 and pertinent issuance particularly on the allowed day as well as the prohibited dates to conduct any cockfighting activities as provided therein and secure a special permit in holding their hack fights and derbies thereby. No gambling of any kind shall be permitted on the premises of the cockpit or place of cockfighting during cockfights. The Grantee shall also make available, under reasonable terms, the accommodation of the fund-raising activities for barangay fiestas and accredited association for charitable purposes through cockfighting activities that maybe conducted in the said arena, as part of his social responsibility.

SECTION 7. Revocation Clause. - This franchise including the complimenting business permit to

DEAN AARON G. LAURON
SB Member-SK Fed. Pres
(Absent)

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

JIMMY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member
(Absent-SL)

RAUL Z. LLOREN
SB Member

ORNA A. MARPA
SB Member

GUILLERMO J. PANAL
SB Member

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: sangguniangbayancarigara@gmail.com

operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinances, rules and regulations.

SECTION 8. Effectivity. – This Ordinance shall take effect upon its approval and after due compliance with the publication requirements.

I hereby CERTIFY to the correctness of the foregoing ordinance.

* * * * * *

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING ORDINANCE.

ROMEO M VIOJAN
SB Secretary

Attested:

EDUARDO T. ONG, JR.
Municipal Vice Mayor/Presiding Officer

Concurred:

JIMMY C. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member(Absent-SL)

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO L. PANAL
SB Member

REYNALDO A. BODO
SB Member

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.(Absent)

Approved:

EDUARDO C. ONG
Municipal Mayor

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

RECEIVED
1/26/22

EXCERPT FROM THE MINUTES/JOURNAL OF THE 128TH REGULAR SESSION OF THE 18TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON JANUARY 19, 2022.

PRESENT:

Hon. Eduardo T. Ong Jr.	---------- Mun. Vice Mayor-Presiding Officer
Hon. Jimmy A. Camposano	---------- SB Member
Hon. Esteban B. Go	---------- SB Member
Hon. Raul Z. Lloren	---------- SB Member
Hon. Lorna A. Marpa	---------- SB Member
Hon. Guillermo I. Panal	---------- SB Member
Hon. Reynaldo A. Bodo	---------- SB Member
Hon. Armando M. Negado	---------- SB Member
Hon. Othello M. Crisostomo	---------- SB Member
Hon. Joselu N. Guia	---------- SB Member-Liga Fed. President
Hon. Dean Aaron G. Lauron	---------- SB Member-SK Fed. President

ABSENT:

None

* * * * *

ORDINANCE NO. 2022-132

AN ORDINANCE RECLASSIFYING PARCEL OF LAND FROM AGRICULTURAL TO COMMERCIAL USE, PARTICULARLY LOT 3904-A, OWNED BY MA. VICTORIA NARIDO BOLONG LOCATED AT BRGY. PARAG-UM, CARIGARA, LEYTE, WITH A TOTAL LAND AREA OF 10,000 SQUARE METERS

(*Sponsor: Hon. Raul Z. Lloren*)

WHEREAS, Section 20 of the Local Government Code of 1991 provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdiction under any of the following cases:

(1) When the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture (DA); or

(2) Where the land shall have substantially greater economic value for residential, commercial, or industrial purposes as determined by the Sanggunian concerned;

JIMMY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELLIN ANTIVESTRE-CAMPOSANO
DATE:

EDUARDO T. ONG JR.
Mun. Vice Mayor-Pres. Office

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

GUILLERMO I. PANAL
SB Member

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

WHEREAS, the Sangguniang Bayan determined per recommendation of the Committee on Land Use, Housing and Agrarian Reform embodied in its Committee Report No. 2022-012, duly adopted that the Lot 3904-A, located in Brgy. Parag-um, Carigara, Leyte, if reclassified to commercial use for purposes of constructing a cockpit arena thereto would entail greater economic value to the land and if the proposed project would push through, the community and the municipality as well would be highly benefited for it will increase the revenues, generate jobs and employment.

WHEREAS, all local government units (LGUs) are authorized under Section 16 of the Local Government Code of 1991, otherwise known as the General Welfare Clause, among others, to exercise powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare;

WHEREAS, Sec. 5 (c) of the same Code (LGC) provides that general welfare provisions of this Code shall be liberally interpreted to give more powers to local government unit in accelerating economic development and upgrading the quality of life of the people in the community.

NOW, THEREFORE, be it ordained by the Sangguniang Bayan in regular session assembled, THAT:

Article I. **RECLASSIFICATION.** The parcel of land with Lot 3904-A, owned by Ma. Victoria Narido Bolong located at Brgy. Parag-um, Carigara, Leyte, with a total land area of 10,000 square meters, more or less, be reclassified from agricultural to commercial because it would entail greater economic value to the land and if the proposed project would push through, the community and the municipality as well would be highly benefited for it will increase the revenues, generate jobs and employment.

Article 2. **EFFECTIVITY.** This ordinance shall take effect upon approval.

APPROVED: January 19, 2022

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ROMEO M. VICIAN
SB Secretary

Attested:

EDUARDO T. ONG JR.
Municipal Vice Mayor/Presiding Officer

DEAN AARON S. LAURON
SB Member-SK Fed. Pres.

JOSELYN GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

GONZALO V. CANAL
SB Member

JIMMY A. CAMPOSANO
SB Member

ESTEBAN B. GO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Concurred:

JIMMY A. CAMPOSANO
SB Member

ESTBAN B. GO
SB Member

RAUL J. LLOREN
SB Member

ORNA A. MARPA
SB Member

GUILLERMO A. PANAL
SB Member

REYNALDO A. BODO
SB Member

ARMANDO M. NEGADO
SB Member

OTHELLO M. CRISOSTOMO
SB Member

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

Approved:

EDUARDO C. ONG
Municipal Mayor

Date Approved: 1/27/2022

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

EXCERPT FROM THE MINUTES/JOURNAL OF THE 74TH REGULAR SESSION OF THE 18TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON DECEMBER 16, 2020

* * * * *

PRESENT:

Hon. Eduardo T. Ong Jr.	---------- Mun. Vice Mayor-Presiding Officer
Hon. Jimmy A. Camposano	---------- SB Member
Hon. Raul Z. Lloren	---------- SB Member
Hon. Lorna A. Marpa	---------- SB Member
Hon. Guillermo I. Panal	---------- SB Member
Hon. Reynaldo A. Bodo	---------- SB Member
Hon. Armando M. Negado	---------- SB Member
Hon. Othello M. Crisostomo	---------- SB Member
Hon. Joselu N. Guia	---------- SB Member-Liga Fed. President
Hon. Dean Aaron G. Lauron	---------- SB Member-SK Fed. President

ABSENT:

Hon. Esteban B. Go	---------- SB Member-Sick Leave

* * * * *

RESOLUTION NO. 2020-320

A RESOLUTION APPROVING ON THIRD AND FINAL READING, MUNICIPAL ORDINANCE NO. 2020-111, ENTITLED: AN ORDINANCE AMENDING SECTION 4A, 4C SUB SECTION 2, 3, 6, SECTION 4E, SECTION 4F, SECTION 5A, SECTION 6A, SECTION 7, AND SECTION 9 OF ORDINANCE # 07-005, ENTITLED "AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA"

WHEREAS, Municipal Ordinance No. 07-005, entitled – "AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA" was approved last January 3, 2008 per SB Resolution No. 08-005;

WHEREAS, some provision in the aforesaid ordinance needs to be amended in order to conform with existing laws and make it reasonably more attainable;

WHEREFORE, on motion of Hon. Joselu N. Guia, seconded bu Hon. Dean Aaron G. Lauron, it was **RESOLVED, as it is hereby resolved** by the Sangguniang Bayan of Carigara to approve on third and final reading, the accompanying ordinance, to wit:

JIMMY A. CAMPOSANO SB Member | RAUL Z. LLOREN SB Member | LORNA A. MARPA SB Member | GUILLERMO I. PANAL SB Member

EDUARDO T. ONG JR. Mun. Vice Mayor/Pres. Officer

DEAN AARON G. LAURON SB Member-SK Fed. Pres.

JOSELU N. GUIA SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO SB Member

ARMANDO M. NEGADO SB Member

REYNALDO A. BODO SB Member

CERTIFIED TRUE COPY FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CATOMERAS
DATE:

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

ORDINANCE NO. 2020-111

AN ORDINANCE AMENDING SECTION 4A, 4C SUB SECTION 2, 3, 6, SECTION 4E, SECTION 4F, SECTION 5A, SECTION 6A, SECTION 7, AND SECTION 9 OF ORDINANCE # 07-005, ENTITLED "AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA"

Introduced by Hon. Joselu N. Guia

Be it ordained by the Sangguniang Bayan of Carigara, Leyte in regular session assembled, that:

SECTION 1. Sections 4A, 4C, Sub Section 2, 3, 6, Section 4E, Section 4F, Section 5A, Section 6A, Section 7, and Section 9 of Ordinance No. 07, Series of 2005, are hereby amended to read as follows:

SECTION 4. COCKPITS AND COCKFIGHTING, in General

(A) Ownership, Operation and Management of Cockpits-Only Filipino citizens with good moral character, shall be allowed to own, manage and operate cockpit within the Municipality. For sole/individual applicant, priority shall be given to a Carigaran-on, unless otherwise the same is not qualified and no Carigaran-on had shown interest to seek the franchise, interested non-resident will be accepted. In cases where the applicant is a corporation, partnership, associations, and cooperative, majority of the shares/capitalization should be owned by Carigaran-on.

(C) Cockpit Site and Construction-

(2) No cockpit shall be established, maintained and/or operated of not less than 50 lineal meters from the residential or commercial areas. Provided a public consultation or hearing should be conducted. Then, 300 lineal meters in areas like hospitals, school buildings, institutions of learning, churches, charitable institutions as well as other public buildings.

(3) Neither shall a cockpit be constructed at a distance of less than ten (10) meters from the national highway or less than ten (10) meters from the

EDUARDO T. ONG JR.
Mun. Vice Mayor/Pres. Officer

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO I. PANAL
SB Member

CamScanner

provincial or municipal road. Furthermore, the cockpit owner/operator shall provide a road right of way to serve as ingress and egress, the cockpit with a width of not less than four (4) lineal meters.

(6) Neither shall permit be issued for the construction or operation of cockpit on a lot less than five thousand (5,000) square meters, inclusive of all the amenities.

(E) Cockfighting for Charitable Purposes or for Entertainment of Tourists - Subject to the provision of the preceding sub-section, the Municipal Mayor may allow the holding of derby and other forms of cockfighting only in the licensed cockpit, for the support of fund raising campaigns for charitable purposes, or for the entertainment of foreign dignitaries, tourists or for returning Filipinos commonly known as "Balikbayans", upon a Resolution approved by the Sangguniang Bayan of Carigara for a period not exceeding three (3) days.

At the close of each derby or pintakasi, the franchisee/owner/operator/licensee of the cockpit shall turn over/remit to the beneficiary the full amount agreed upon.

The franchisee/owner/operator/licensee of the cockpit shall submit within seven (7) calendar days after the holding of derby or pintakasi to the Municipal Treasurer and the Municipal Social Welfare Officer copies of the daily financial report and financial summary thereof.

(F) Barangay Fiesta - Holding of cockfights during barangay fiesta shall be considered "SPECIAL". The Municipal Mayor, upon a resolution approved by the Sangguniang Bayan of Carigara, may allow the holding of cockfighting only in the licensed cockpit. Only one (1) fiesta in a barangay shall be recognized as official barangay fiesta in a year. In the event the date of the fiesta falls on a Sunday and any legal holiday where cockfighting is prohibited, it shall be held before or after such days but in no case shall exceed three (3) days.

In cases where the dates of barangay fiestas fall on same date or are in succession, the holding of cockfighting shall be within ten (10) days before or ten (10) days after the date of their fiesta.

EDUARDO T. ONG JR.
Mun. Vice Mayor/Pres. Officer

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO II PANAL
SB Member

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

SECTION 5. FRANCHISING and LICENSING OF COCKPITS

(A) No person, partnership, corporation or cooperative shall be allowed to operate a cockpit within the Municipality of Carigara without securing the appropriate franchise from the Sangguniang Bayan. Franchise applicant/s must meet the requirements as provided for in this Ordinance. The application shall state the name, address, and citizenship of the applicant/s; the name of the cockpit, the particular place where the cockpit is to be established; and such other information and data as maybe needed and shall be accompanied with the following:

1) Copy of the location and vicinity map;
2) Copy of the cockpit building plan;
3) Copy of the building permit;
4) Copy of the declaration of real property for the cockpit or certificate of title if there is any;
5) Copy of the Sanitary Permit;
6) Copy of the Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage CNC) from the Department of Environment and Natural Resources (DENR);
7) Copy of the permit from Department of Agrarian Reform (DAR) if it needs conversion of land use and from Housing and Land Use Regulatory Board (HLURB);
8) Application Fee Receipt and other incidental fees; and list of duly licensed cockpit personnel with corresponding copies of their respective licenses as may be required by law.

SECTION 6. BUSINESS TAX AND BOOKS OF ACCOUNT AND RECORDS

a) The Franchisee, Licensee, or Grantee of a Cockpit Operators Permit shall pay a Graduated Annual Business Tax at the rate stated in the updated Comprehensive Revenue Code of the Municipality of Carigara, Leyte.

SECTION 7-OTHER FEES FOR A LICENSED COCKPIT-

A) In addition, the following fees shall likewise be collected:

1) Franchise Fee (per annum)..... ₱30,000.00

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LUOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO J. PANAL
SB Member

EDUARDO T. ONG JR.
Mun. Vice Mayor/Pres. Officer

DEAN AARON G. LAURON
SB Member-Lp Fed. Pres.

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

OTHELLO M. CRISOSTOMO
SB Member

ARMANDO M. NEGADO
SB Member

REYNALDO A. BODO
SB Member

CamScanner

2)	Annual Mayor's Permit	₱ 5,000.00
3)	Ocular Inspection Fee	₱ 1,500.00
4)	Regular/Special hackfight (renyas per fight)	₱ 50.00
5)	Derby renyas (per fight)	₱ 100.00
6)	Pintakasi (per day)	₱ 1,000.00
7)	Invitational/Promotional Derby (per day)	₱ 2,000.00
8)	Town Fiesta (per day)	₱ 1,500.00
9)	Barangay Special Permit (per day)	₱ 1,000.00
10)	Amusement Tax	
	(Equivalent to 10% of gate proceeds)	

B) Resetting or rescheduling of special cockfights or derby where a permit had been previously issued-fifty (50%) of applicable fees as provided in this Section 7 (a), pars, 6,7,8, and 10.

The franchisee/owner/operator/licensee of the cockpit shall pay to the Municipal Treasurer the "renyas" within seven (7) calendar days after the holding of regular and special cockfights or derby.

SECTION 9. FEES ON COCKFIGHTING OFFICIALS - The herein below named cockpit/cockfighting officials shall not act as such in the cockpit or in any cockfight with special cockfighting permit without first securing a license renewable every 20th day of January of each year, from the Office of the Municipal Mayor and upon payment to the Municipal Treasurer of the annual fees, to wit:

A)	Pit Manager	₱2,000.00
B)	Bet Taker (Masyador)	₱1,000.00
C)	Referee (Kuyme or Sentenciador)	₱1,000.00
D)	Gaffer (Mananari)	₱1,000.00
E)	Bet Fixer (Kasador/Cockpit Cashier)	₱1,000.00
F)	Bet Caller (Kristo)	₱ 500.00
G)	Derby Match Maker	₱ 500.00
H)	Tagabulong	₱ 500.00

No license shall be issued to any of the above-mentioned cockfighting official unless he/she is at least 21 years old, of good moral character, of unquestioned integrity, and well-

JIMMY A. CAMPOSANO SB Member
RAUL Z. LUOREN SB Member
LORNA A. MARPA SB Member
GUILLERMO I. PANAL SB Member

EDUARDO T. ONG JR. Mun. Vice Mayor/Pres. Officer
DEAN AARON G. LAURON SB Member-SK Fed. Pres.
JOSELITO N. GUIA SB Member-Liga Fed. Pres.
OTHELLO M. CRISOSTOMO SB Member
ARMANDO M. NEGADO SB Member
REYNALDO A. BODO SB Member

CamScanner

versed in the rules, customs, usages and language of the game. All the above-mentioned persons shall be required to wear theirs ID's to be issued by the Office of the Municipal Mayor when entering a cockpit.

SECTION 10. Repealing Clause - All local ordinances, rules and regulation or part thereof that are inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.

SECTION 11. Effectivity - This Ordinances shall take effect upon approval.

ENACTED: DECEMBER 16, 2020

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ROMEO M. VIOJAN
SB Secretary

Attested:

EDUARDO T. ONG JR.
Municipal Vice Mayor/Presiding Officer

Concurred:

JIMMY A. CAMPOSANO
SB Member

RAUL Z. LLOREN
SB Member

LORNA A. MARPA
SB Member

GUILLERMO L. PANAL
SB Member

REYNALDO A. BODO
SB Member

ARMANDO M. NEGADO
SB Member

OTHELLO M. CRISOSTOMO
SB Member

JOSELU N. GUIA
SB Member-Liga Fed. Pres.

CamScanner

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

Approved:

EDUARDO C. ONG
Municipal Mayor

Date Approved: _____

CamScanner

NEW REVISED COCKFIGHTING ORDINANCE

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CONSULTA
DATE:

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 05

AN ORDINANCE REGULATING THE ESTABLISHMENT, OPERATION AND MAINTENANCE OF COCKPITS, COCKFIGHTING AND COMMERCIAL BREEDING OF GAME COCKS IN CARIGARA

Authored by: Councilor: Dennis N. Garay

WHEREAS, before the enactment of the Local Government Code of 1991, the supervision, administration and control of the operation of cockpits was under the Philippine Game Fowl Commission, Office of the President;

WHEREAS, one of the powers, duties and functions of the Municipal Sangguniang Bayan as provided for in Sec. 447, par. (a), sub-par. 3 (v) of the Local Government Code of 1991 states, that "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".

WHEREAS, the Sangguniang Bayan, being the legislative body of the Municipality of Carigara, is likewise empowered to enact ordinances approve resolutions and appropriate funds for the general welfare of the municipality's inhabitants in the exercise of the corporate powers of the Municipality and grant franchises, enact ordinances authorizing the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended for the general welfare of the inhabitants;

WHEREAS, in obedience to this legal mandate, there is a need to enact an Ordinance that will regulate and control the establishment and operation of cockpit and cockfighting activities in the municipality of Carigara as well as breeding of gamecocks as these are traditional form of sports handed-down for generations to Filipinos.

WHEREAS, it is declared as policy of the Local Government Unit of Carigara, Leyte that the operation of a cockpit is a mere privilege which cannot ripen into a vested right in favor of the franchise/licensee and in order to exact compliance with this Ordinance whose laudable purpose is to ensure development and promotion of this wholesome recreation and amusement, the Sangguniang Bayan of Carigara, in enacting this Ordinance is mandated to effectively control and regulate cockfighting in the municipality as a source of entertainment rather than an avenue for the proliferation of unreasonable and excessive profit considerations thereby preserving Philippines customs and tradition to enhance national identity;

NOW, THEREFORE, foregoing premises considered, the 14th Sangguniang Bayan of Carigara, in a regular session assembled, hereby ordains, THAT,

CamScanner

Sec. 1. TITLE –

This Ordinance shall be known and cited as "COCKFIGHTING ORDINANCE" of Carigara, Leyte

Sec. 2 SCOPE –

This Ordinance shall govern the establishment, operation, maintenance and ownership of cockpits, and commercial breeding of gamecocks in Carigara, Leyte.

Sec. 3 DEFINITATION OF TERMS –

For the purpose of this ordinance, the following terms shall be understood, applied and construed as follows:

a) Cockfighting (Bulang) – Shall embrace and mean the commonly known game termed cockfighting, which may either be, "hackfight", "pintakasi" or "derby", or variants thereof in our locality.

b) Cockpit (Bulangan) – The property enclosed, fenced premises or compound provided with two or more gates or doors for definite points of entrance and exit and licensed in accordance herewith for the holding of cockfighting, derby, pentakasi, hackfight or its variants in different Philippine localities.

c) Cockfight (Sultada) – The actual fight or physical combat of two (2) pitted or evenly-matched game cocks, where bets on either side are laid. A "karambola", wherein the actual fight or physical combat consists of more than two (2) pitted gamecocks shall be considered a cockfighting.

d) Derby – means a pre-scheduled cockfighting with corresponding minimum weights (except panta derby) and bets. It is a promotion with entry fees. Itt is either panta-derby; 2-cock; 3-cock; 4-cock; 5-cock; 6-cock; 7-cock; 8-cock with specifications to be met and executed by participants.

e) Pit Manager – A person who professionally, regularly and habitually manages a cockpit and cockfight therein. He may or may not be the owner of the cockpit.

f) Bet Manager (Masyador) – A person who calls and takes care of bets for the house (lamisa/paradahan) from owners of gamecocks matched against each and those from other bettors before he orders commencement of the cockfight and thereafter distributes won bets to the winners after deducting a certain commission, in the remotest event the masyador accepts bets by and between other bettors, he shall be solely responsible therefore and in no case shall the cockpit owner/operator be subsidiarily liable for any liability arising therefrom.

g) Bet Taker (Kristo) – A person who assist bettors in calling or soliciting bets and received a commission or fee from bettors. He is not an employee of the cockpit.

h) Gaffer (Mananadi) – A person knowledgeable in the art of arming fighting cocks with gaff or gaffs on either or both legs.

i) Referee (Kuyme or Sentenciador) – A person who watches and oversees the proper gaffing of fighting cocks, determines the physical condition of fighting cocks while

CamScanner

cockfighting is in progress, the injuries sustained by the cocks and their capability to continue fighting and decides and makes known his decision by word or gestures on the results of the cockfight 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, or other things of value, bets with other bettor/s through the bet manager, or through the bet solicitor (Kristo), and wins or loses his bet depending upon the result of the cockfight as announced by the Referee, (Kuyme or Sentenciador). He may be the owner of the fighting cocks.

k) Bet Fixer (Kasador/Cockpit Cashier) – A person who receives the matched money from the contending cock owner, computes and accounts the percentage commission for the cockpit and for taxes due to the municipal government.

l) Promoter – A person or group of persons who, by means of a written or verbal invitation to cockfighting aficionados initiate the holding of cockfights.

m) Sultador – The owner of the gamecock himself or any person designated by himself to release the gamecock for the combat.

n) "Taga-bulong" – Refers to an individual who, by customs and traditions, attend to the medical needs of wounded gamecock.

o) Breeder – One engaged in the activity or producing game fowls and for commercial purposes.

p) Gamecock – Refers to domesticated fowl, whether imported or locally breed, trained and conditioned for actual cockfighting or for propagation and breeding.

q) Game Fixer (Tiyopidor) – Any person who allows, promotes, or participates in any arrangement, combination, scheme, or agreement by which the result of any cockfight shall be predicted and/or known by means other than the result of the fighting ability of the contending fighting cocks such as, but not limited to, its poisoning, injuring or wounding.

r) Betting Mode (Logro) – A way of calling bets done, and being resorted to, with the consent and agreement of the bettor, either to fast-track or pursue he cockfighting contest.

The Betting Mode, or "Logro", may either be:

Nueve	meaning	9.00 wins 10.00
Diez	meaning	8.00 wins 10.00
Tag—upat/upat-tolo	meaning	7.50 wins 10.00
Siete-Diez	meaning	7.00 wins 10.00
Tres-a-Dos	meaning	2.00 wins 3.00
Sais-Diez	meaning	6.00 wins 10.00

CamScanner

Doblado meaning 5.00 wins 10.00

s) Carigaran-ons – Shall refer to:

1. Those who were born in Carigara, Leyte;

2. Those who are residents of Carigara, Leyte at the time of the adoption of the law creating Carigara as a town;

3. Those whose predecessors had been residents of Carigara or acquired residency therein at any point in time;

4. Those whose spouses are Carigaran-ons.

Sec. 4 COCKPITS and COCKFIGHTING, in General

a) Ownership, Operation and Management of Cockpits-Only Filipino citizens with good moral character, shall be allowed to own, manage and operate cockpit within the Municipality. For sole/individual applicant, priority shall be given to a Carigaran-on, unless otherwise the same is not qualified and no Carigaran-on had shown interest to seek the franchise, interested non-resident will be accepted. In cases where the applicant is a corporation, partnership, associations, and cooperative, majority of the shares/capitalization should be owned by Carigaran-on.

b) Establishment of Cockpit – There shall be allowed to operate in the Municipality of Carigara, Province of Leyte, only one (1) cockpit as allowable by the population requirement provided for in PD 449, provided however, that this provision can be amended for purposes of establishing additional cockpit should the needed population requirement be met. The Sangguniang Bayan may grant another franchise for operation of such additional cockpit subject to the laws provided for in this Ordinance; and that, no additional cockpit shall be established within a distance of less than eight (8) kilometers from the existing cockpit.

c) Cockpit Site and Construction –

1) No cockpit shall be constructed in an area classified as commercial or residential in the Zoning Ordinance and/or Comprehensive Land Use Plan of the Municipality of Carigara.

2) Cockpit shall be constructed at least 200 meters away from any existing residential or commercial areas, school buildings, churches or other public buildings because the noise arising from the arena causes disturbance and other pollutant, like dust is detrimental to public health.

3) Cockpit must be situated at a distance of 200 meters from the national highway to avoid congestion and obstruction to smooth traffic flow. It should be accessible to transportation. Furthermore, the cockpit owner/operator shall provide a road right of way to serve as ingress to or exit from, the cockpit with a width of not less than four (4) lineal meters.

CamScanner

4) No cockpit shall be constructed without first securing the necessary requirements and approval from different government agencies concerned such as, Building Permit, compliance of with the Zoning Ordinance and the Comprehensive Land Use Plan (CLUP) of the Municipality, Sanitary Permit and Environment and Natural Resources (DENR), Department of Agrarian Reform (DAR) if it needs conversion of land use, Housing and Land Use Regulatory Board;

5) Cockpit building shall be provided with basic facilities such as ventilation, fire extinguisher, canteen, separate comfort rooms for men and women, water and lighting facilities;

6) Neither shall permit be issued for the construction or operation of cockpit on a lot less than five thousand (5,000) square meters, inclusive of all the amenities.

7) The construction of the cockpit shall be allowed only after the necessary public consultation/hearing shall have been properly conducted by the Sangguniang bayan and a favorable action shall have been issued therefore;

Except Sub-section 5, the requirements provided for in this Section 4, Sub-section 1 to 7 shall not apply to duly enfranchised licensed cockpit in Carigara, Leyte if any, prior to the approval of this ordinance. The concerned Committee of the Sangguniang Bayan of Carigara, Leyte is hereby mandated to issue rules and regulations implementing this Ordinance shall not be inconsistent herewith,

d) Except as provided in this ordinance, the holding of cockfighting shall be allowed only in the licensed cockpit and on such days or occasions, as:

1. REGULAR Cockfighting is allowed only on SUNDAYS and TOWN FIESTA,
2. SPECIAL cockfights or "Pintakasi" or "Derby" are allowed in any day of the week, except SUNDAY, and for not more than three (3) days. it may also be held during Foundation Day, tourism, agricultural, commercial or industrial fair, carnival or exposition, for a similar period of three (3) days which shall be authorized through an appropriate resolution of the Sangguniang Bayan of Carigara; PROVIDED, that no cockfighting shall be held on June 12, (Philippine Independence Day), November 30, (National Heroes Day), December 30, (Rizal Day), Holy Thursday, Good Friday, Election Day, Registration Period, and such other days as may be prescribed as banned for cockfighting by the COMELEC.

e) Cockfighting for Charitable Purposes or for Entertainment of Tourists – Subject to the provision of the preceding sub-section, the Municipal Mayor may allow the holding of derby and other forms of cockfighting only in the licensed

CamScanner

cockpit, for the support of fund raising campaigns for charitable purposes, or for the entertainment of foreign dignitaries, tourists or for returning Filipinos commonly known as "Balikbayans", upon a Resolution approved by the Sanguniang Bayan of Carigara for a period not exceeding three (3) days.

At the close of each derby or pintakasi, the franchisee/owner/operator/licensee of the cockpit shall turn over/remit to the beneficiary the full amount agreed upon.

The franchisee/owner/operator/licensee of the cockpit shall submit within seven (7) calendar days after the holding of derby or pintakasi to the Municipal Treasurer and the Municipal Social Welfare Officer copies of the daily financial report and financial summary thereof.

f) Barangay Fiesta – Holding of cockfighting during barangay fiesta shall be considered "SPECIAL". The Municipal Mayor, upon a resolution approved by the Sangguniang Bayan of Carigara, may allow the holding of cockfighting only in the licensed cockpit. Only one (1) fiesta in a barangay shall be recognized as official barangay fiesta in a year. In the event the date of the fiesta falls on a Sunday and any legal holiday where cockfighting is prohibited, it shall be held before or after such days but in no case shall exceed three (3) days.

In cases where the dates of barangay fiestas fall on the same date or are in succession, the holding of cockfighting shall be within ten (10) days before or ten (10) days after the date of their fiesta.

Sec. 5 FRANCHISING and LICENSING OF COCKPITS

a) No person, partnership, corporation or cooperative shall be allowed to operate a cockpit within the Municipality of Carigara without securing the appropriate franchise from the Sangguniang Bayan. Franchise applicant/s must meet the requirements as provided for in the Ordinance. The application shall state the name, address, and citizenship of the applicant/s; the name of the cockpit, the particular place where the cockpit is to be established; and such other information and data as maybe needed and shall be accompanied with the following:

1. Copy of the location and vicinity map;
2. Copy of the cockpit building plan
3. Copy of the building permit;
4. Copy of the declaration of real property for the cockpit or certificate of title if there is any;
5. Copy of the Sanitary Permit;
6. Copy of the Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) from the Department of Environment and Natural Resources (DENR);
7. Copy of the permit from Department of Agrarian Reform (DAR) if it needs conversion of land use and from Housing and Land Use Regulatory Board (HLURB);
8. Application Fee Receipt and other incidental fees; and list of duly licensed cockpit personnel with corresponding copies of their respective licenses as may be required by law.

CamScanner

b) The period of the Franchise shall be subject to the discretion of the Sangguniang Bayan, provided, however, that it shall not be more than twenty five (25) years nor less than ten (10) years from date of issuance.

c) Only a franchise holder shall be given license or permit to operate a cockpit by the Municipal Mayor upon satisfactory proof that the applicant is qualified and has complied with the requirements of this Ordinance and upon payment of all fees. The license or permit is renewable annually on or before 20th day of January of each year until the expiration of the Franchise.

d) The License to operate shall be known as "Cockpit Operator's Permit". The franchise and license is strictly personal to the Franchisee/Licensee and, therefore, non-transferable.

e) Violation of any of the foregoing provisions of this Section 5 shall be a ground for revocation of franchise.

Sec. 6 BUSINESS TAX AND BOOKS OF ACCOUNT AND RECORDS

a) The Franchisee, Licensee, or Grantee of a Cockpit Operators Permit shall pay a Graduated Annual Business Tax at the rate stated in the updated Comprehensive Revenue Code of the Municipality of Carigara, Leyte.

b) The total graduated ta realized within a year shall be appointed into four (4) quarterly installments payable within the first twenty (20) days o the month following the end of every calendar quarter, otherwise, an additional surcharge of twenty-five (25%) per cent shall be impose on the unpaid tax per month until the taxes due are paid, but in no case shall be total interest on the unpaid amount, or portion thereof, exceeds thirty-six (36) months.

c) The cockpit franchisee/owner/operator/manager is required to keep proper books of account and records in connection with the operation of the cockpit. The Municipal Treasurer or his/her representative, shall have the power ti inspect within a reasonable time the said books of actual accounts and records. The books of account or records shall first be registered with the Municipal Treasurer's Office before they are used.

d) The Municipal Treasurer shall have the authority to designate his/her representative/s during the conduct of derby or pintakasi.

Sec. 7 OTHER FEES FOR A LICENSED COCKPIT –

a) In addition, the following fees shall likewise be collected:

1.	Franchise Fee (per annum)	P30, 000.00
2.	Annual Mayor's Permit	5, 000.00
3.	Ocular Inspection Fee	1, 500.00
4.	Regular/Special hackfight (renyas per fight	50.00
5.	Derby renyas (per fight)	100.00
6.	Pintakasi (per day)	1, 000.00
7.	Invitational/Promotional Derby (per day)	2, 000.00
8.	Town Fiesta (per day)	1, 500.00
9.	Barangay Special Permit (per day)	1, 000.00

CamScanner

10. Amusement Tax (Equivalent to 10% gate proceeds)

b) Resetting or rescheduling of special cockfights or derby where a permit had been previously issued – fifty (50%) of applicable fees as provided in this Section 7 (a), pars. 6, 7, 8, and 10.

The franchisee/owner/operator/licensee of the cockpit shall pay to the Municipal Treasurer the renyas within seven (7) calendar days after the holding of regular and special cockfights or derby.

Sec. 8 PERMITS REQUIRED FOR SPECIAL COCKFIGHTS AND DERBY –

a) No special cockfights/derby shall be allowed unless authorized by a Special Permit from the Office of the Mayor upon prior authority from the Sangguniang Bayan of Carigara through a Resolution.

Application for such a special permit shall be filed in the Office of the Municipal Mayor at least ten (10) working days before the event.

b) Every application shall be signed by the Licensee of the cockpit where such special cockfight is to be held or his/her authorized representative duly armed with a power of attorney for the purpose countersigned by the promoter or the beneficiary and to be supported with the necessary documents, such as:

1. A copy of the documents authorizing the fund raising campaign and specifying its purpose;

2. A letter-request of the beneficiary addressed to the cockpit owner/operator or licensee to hold special cockfights/derby in the cockpit;

c) Application for Special Permit to hold a cockfight in connection with barangay fiesta should be supported by a Resolution from the Barangay Council concerned to be filed with the office of the Municipal Mayor. No payment of the fees shall be made by the applicant unless there is a prior resolution for the purpose issued by the Sangguniang Bayan. The application shall bear the name and address of the applicant, the place and date when the cockfighting shall be conducted and the purpose of conducting.

Sec. 9 FEES ON COCKFIGHTING OFFICIALS – The herein below named cockpit/cockfighting officials shall not act as such in the cockpit or in any cockfight with special cockfighting permit without first securing a license renewable every 20th day of January of each year, from the Office of the Municipal Mayor and upon payment to the Municipal Treasurer of the annual fees, to wit:

a) Pit Manager P2, 000.00
b) Bet Taker (Masyador) P1, 000.00
c) Referee (Kuyme or Sentenciador) P1, 000.00
d) Gaffer (Mananari) P1, 000.00
e) Bet Fixer (Kasador or Cockpit Cashier)..... P1, 000.00
f) Bet Caller (Kristo) ..... P 500.00

CamScanner

g) Derby Match Maker ..... P 500.00
h) Tagabulong ..... P 500.00

No license shall be issued to any of the above-mentioned cockfighting official unless he/she is at least 21 years old, of good moral character, of unquestioned integrity, and well-versed in the rules, customs, usages and language of the game. All the above-mentioned persons shall be required to wear their ID's to be issued by the Office of the Municipal Mayor when entering a cockpit.

Sec. 10 SURCHARGE FOR LATE PAYMENT – Failure to pay the taxes and fees herein within the time required shall subject the taxpayer to a surcharge of twenty five percent (25%) of the original amount of tax due.

Sec. 11 ADMINISTRATIVE PROVISION – The following shall be the administrative provisions of this ordinance:

a) During regular and special cockfighting including derbies, only the sultadors and referee/setneciador are allowed to remain inside the arena in order to ensure that there will be no obstruction to be encountered during the fight.

The sultadors or any other person are strictly prohibited from giving any undue influence to the referee in conducting and deciding the outcome of the fight. They are, instead, required to maintain position at any corner of the arena in order not to disturb and confuse the decision of the referee thereby attaining an orderly outcome of the game for the benefit and satisfaction of all.

b) Losing Bettors – The owner or bettor of the losing gamecock shall effect payment of his/her lost bet to the winner/s without unnecessary delay or upon demand by winners or management. Losing bettors found betting without fund, or with insufficient fund shall be punishable in accordance with Section 15 hereof.

c) The Chief of Police of the Municipality shall assign at least two (2) policemen in complete uniform to be posted inside the cockpit or in any place specified in the Special Permit for assistance and to ensure that peace and order is properly observed and maintained. He is also empowered to implement this Ordinance.

d) No person below eighteen (18) years of age shall be allowed to participate in cockfights being held in all cockfighting arenas in the Municipality of Carigara, Leyte.

Sec. 12 PROHIBITED ACTS – The following acts shall be considered a violation of this Ordinance and the violators shall be subjected to the penalties provided for in Section 15 of this Ordinance, to wit:

a) Conducting, engaging or holding a cockfight in a cockpit without a valid Cockpit Operator's Permit or Special Cockfighting Permit;

b) Conducting, engaging, or holding a cockfight on a day which is not authorized or allowed herein;

CamScanner

c) Doing or performing functions appurtenant to the duties of cockfighting officials referred to in Section 9 of this Ordinance in any cockfight without first securing and paying the required license fee;

d) Hiring, employing or utilizing such services of cockfighting officials if they do not have licenses to act as such;

e) Allowing promoting or participating in any arrangement, combination, scheme, or agreement by which the result of any cockfight can be predicted and/or known by means 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;

f) Allowing to enter the cockpit or in any other places where cockfighting is being held, any person with firearm/s of any caliber, or other deadly weapon, except duly authorized personalities with the corresponding mission order license and permit to carry such weapon;

It is the responsibility of the franchisee/owner/concessionaire/licensee of any cockpit or any other place where cockfighting is held to exact compliance with these provisions in order to maintain peace at all times within the premises of the cockpit or other cockfighting area. Violation hereof shall subject the violator to an administrative fine of Five Hundred (P500.00) Pesos per violation, in addition to the penalties provided for in Section 15 of this Ordinance.

g) No gambling of any kind shall be permitted within the premises of the cockpit or place of cockfighting.

If the violator is a cockfighting official, aside from suffering the penalty provided for in Section 15 thereof, he/she shall also be disqualified from acting as cockfighting official within the Municipality of Carigara for a period of six (6) months.

Sect. 13 COMMERCIAL BREEDING OF GAMECOCKS

The Municipal Government of Carigara shall encourage the commercial breeding of gamecocks and shall offer as incentive to the breeder, a moratorium in the payment of taxes, permits and licenses within a period of three (3) years from start of commercial breeding.

Whenever applicable, and at the end of the moratorium period, there shall be imposed on commercial breeders of gamecocks an annual fixed tax of One Thousand (P1, 000.00) Pesos, in addition to payment of necessary municipal business permits, taxes and licenses.

Sec. 14 REGISTRATION OF COMMERCIAL BREEDING OF GAMECOCKS

Application for registration of commercial breeding of gamecocks shall be filed at the Municipal Treasurer's Office with the following documents. To wit:

1. Sanitary Permit

CamScanner

2. Barangay Clearance
3. Fire Safety Certificate (whenever applicable)

The Municipal Mayor may issue a Mayor's Permit upon presentation of Registration Certificate issued by the Municipal Treasurer.

Sec. 15 PENALTY CLAUSE –

Any person firm or corporation, found guilty of violating any provision of this ordinance shall be liable to a fine of not less than One Thousand Five Hundred Pesos (P1, 500.00) nor more than Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of not less than one (1) month, nor more than five (5) months, or both to such fine and imprisonment, at the discretion of the court.

If any violator is a firm, corporation or a juridical person, the owner, manager, proprietor, president, or any person primarily in charge in the management or administration of the cockpit shall be held liable for the penalty herein provided.

Sec. 16 REPEALING CLAUSE –

All ordinances, resolutions and other rules and regulations issued by the Local Government of Carigara relative to cockpit or cockfighting operations in the Municipality which are inconsistent with any of the provisions of this ordinance are hereby repealed or modified accordingly.

Sec. 17 SEPARABILITY CLAUSE –

If, any reason or reasons, any provision of this Ordinance shall be held invalid, other portions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 18 EFFECTIVITY –

This ordinance shall take effect upon approval by the Sangguniang Bayan of Carigara, Leyte and shall take effect after its posting for twenty one (21) days in three (3) conspicuous places in the Municipality of Carigara, Leyte.

CamScanner

Enacted by the Sangguniang Bayan of Carigara, Leyte at its regular session today, Janaury 03, 2008.

Certified Correct:

(Sgd) Atty. Ismael C. Lloren
SB Secretary

Attested by:

(Sgd) HON. ULPIANO U. ARPON, JR.
Municipal Vice-Mayor/Presiding Officer

Concurred by:

(Sgd) HON. SANTIAGO GIL G. LLORE
SB Member

(Sgd) HON. ANABELLE N. CRISOSOTMO
SB Member

(Sgd) HON. JOENLEE C. LARRAGA
SB Member

(Sgd) HON. DENNIS N. GARAY
SB Member

(Sgd) HON. CLINT RAFAEL TONOLETE
SB Member

(Sgd) HON. SAMUEL L. LLOSE
SB Member

(Sgd) HON. ESTEBAN B. GO
SB Member

(Sgd) HON. BENITO B. GO, JR.
SB Member-SK Federation President

(Sgd) HON. ADRIANO B. LLOVIA, JR.
SB Member-SK Federation President

APPROVED by Her Honor, the Mayor, this 8th day of February, 2008.

(Sgd) HON. ANLIE G. APOSTOL
Municipal Mayor

CamScanner

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
Office of the Municipal Mayor

BAGONG PILIPINAS

MAYOR'S PERMIT

No. 2025 -53

TO WHOM THIS MAY CONCERN:

SPECIAL PERMIT IS HEREBY GRANTED to **MR. PATRICK V. MAKABENTA** to hold a **"2 DAYS SPECIAL COCKFIGHTING ACTIVITIES"** of Brgy. Jugaban on **October 2 & 3, 2025** at Canggara Amusement Center, Brgy. Parag-um Carigara, Leyte, in connection with their respective Annual Barangay Fiesta Celebration.

THIS PERMIT is subject to revocation anytime Public Safety and Interest is Adversely Affected and the same is Subject to All Municipal Ordinances and Other Pertinent Laws, Particularly RESOLUTION NO. 2025-114 **"A RESOLUTION REITERATING THE USE OF THE TRADITIONAL MODE OF IN-PERSON BETTING AS PROVIDED IN THE MUNICIPAL REVISED COCKFIGHTING ORDINANCE"** and Upon Compliance Thereof, may be accorded with Police Presence upon formal request.

Given this 30th day of September, 2025 at Carigara, Leyte.

9/30/25

HON. EDUARDO T. ONG, JR.
Municipal Mayor

O.R. No. : 1360763
Issued on : September 30, 2025
Issued at : Carigara, Leyte

Copy Furnished: PNP

Galaxy S24 Ultra

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniangbayancarigara@gmail.com

BAGONG PILIPINAS

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CAMOTES
DATE:

EXCERPT FROM THE MINUTES/JOURNAL OF THE 11TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON SEPTEMBER 8, 2025

* * * * *

RESOLUTION NO. 2025-111

A RESOLUTION DENYING THE RESETTING OF THE SCHEDULED COCKFIGHTING ACTIVITY OF BARANGAYS PONONG, GUINDAPUNAN EAST AND BARUGOHAY SUR, FOR FAILURE OF THE AFOREMENTIONED BARANGAYS TO JUSTIFY THE RESETTING

WHEREAS, presented to this sanggunian for consideration is the first Indorsement from the Office of the Municipal Mayor dated August 27, 2025, with attached Brgy. Resolutions of Brgy/s. Ponong, Guindapunan East and Barugohay Sur, for the resetting of previously approved two (2) days cockfighting activity, all in relation to the celebration of their respective barangay fiesta;

WHEREAS, the Committee on Games and Amusement, after careful review and deliberation, found no cogent reason, material enough to justify the resetting of their scheduled cockfighting; hence recommended for the denial and disapproval of the request;

WHEREFORE, *on motion of the Hon. Carlo Angelo B. Go seconded by all Sangguniang Bayan Members present, it was*

RESOLVED, as it is hereby resolved, to deny the resetting of the scheduled cockfighting activity of Barangays Ponong, Guindapunan East and Barugohay Sur, for failure of the aforementioned barangays to justify the resetting.

RESOLVED FINALLY, that copies hereof be furnished to the concerned Sangguniang Barangay through the Punong Barangay, for information and guidance

APPROVED UNANIMOUSLY, this 8th day of September 2025 at the SB Session, Carigara, Leyte

FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CAMOTES
DATE:

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

BAGONG PILIPINAS

Page 2/2. Res. No.2025-111 dated September 8, 2025–
"***A Resolution Denying the Resetting of the Cockfighting Activity of Brgys. Ponong, Guindapunan East, and Barugohay Sur...***"

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor /Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 11TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON SEPTEMBER 8, 2025

* * * * *

RESOLUTION NO. 2025-112

A RESOLUTION GRANTING THE WITHDRAWAL/CANCELLATION OF THE SCHEDULED 3-STAG DERBY, NO POCKET MONEY, BAYAD AGAD 45K ON SEPTEMBER 5, 2025

WHEREAS, presented to this sanggunian for consideration is the first Indorsement from the Office of the Municipal Mayor dated August 8, 2025, with attached letter of Mr. Patrick V. Makabenta, CAC Operations Manager, requesting approval to hold a 3-Stag Derby on September 5, 2025, at Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte;

WHEREAS, the Committee on Games and Amusement, during its committee meeting, was informed by the requesting party, Mr. Patrick V. Makabenta, the CAC Operation Manager, of their intention to withdraw and cancel the 3-Stag Derby, No Pocket Money, Bayad Agad 45K, activity on September 5, 2025, for personal reason and owned volition;

WHEREAS, this August Body, after due deliberation, acknowledges the withdrawal of the request and finds it in order to grant the same;

WHEREFORE, *on motion of the Hon. Carlo Angelo B. Go seconded by all Sangguniang Bayan Members present, it was*

RESOLVED, as it is hereby resolved, to grant the withdrawal/cancellation of the scheduled 3-Stag Derby, No Pocket Money, Bayad Agad 45K on September 5, 2025.

RESOLVED FINALLY, that copies of this excerpt be furnished to the Office of the Municipal Mayor, the Canggara Amusement Center, Brgy. Parag-um, and all concerned for information and guidance.

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE - CABAHUG
DATE:

Page 2/2. Res. No.2025-112 dated September 8, 2025–
"***A Resolution Granting the Withdrawal/Cancellation of the Scheduled 3-Stag Derby...***"

APPROVED UNANIMOUSLY, this 8th day of September 2025 at the SB Session, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor /Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 11TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON SEPTEMBER 8, 2025

* * * * *

RESOLUTION NO. 2025-114

A RESOLUTION REITERATING THE USE OF THE TRADITIONAL MODE OF IN-PERSON BETTING AS PROVIDED IN THE MUNICIPAL REVISED COCKFIGHTING ORDINANCE

WHEREAS, cockfighting is a popular, traditional, and customary form of recreation and entertainment among Filipinos;

WHEREAS, Section 3-A of Presidential Decree No. 449, or the Cockfighting Law of 1974, establishes cockfighting as a national recreation, relaxation, and source of entertainment, and provides for its effective control and regulation;

WHEREAS, Section 3-C of PD 449 serves as a safeguard to remove and prevent excessive and unreasonable business operation and profit considerations in the management of cockpits and, instead, preserve Philippine customs and traditions and thereby enhance our national identity;

WHEREAS, Section 447 (a)(3)(v) of the Republic Act No. 7160, or the Local Government Code of 1991, grants the Sangguniang Bayan the authority to authorize and license the establishment, operation, and maintenance of cockpits, and to regulate cockfighting and the commercial breeding of gamecocks, provided that existing rights should not be prejudiced;

WHEREAS, the Municipal Revised Cockfighting Ordinance of Carigara, Leyte, permits only the **traditional mode of cockfighting** and details the traditional mode of in-person betting (*logro*) with the *masyador* and *kristo.*

WHEREAS, Executive Order No. 9, issued by President Ferdinand "Bongbong" Marcos Jr., on 28 December 2022, together with the Department of the Interior and Local Government Memorandum Circular No. 2023-030, issued on 22 February 2023, suspended e-sabong operations, including activities related to e-sabong, as stipulated

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CABAHUG
DATE:

or the online/remote or off-cockpit wagering/betting on live cockfighting matches, events, and/or activities streamed or broadcasted live, regardless of the location of the betting platform, **including but not limited to betting platforms that may be situated inside the cockpit or cockfighting arenas, or premises where cockfights are being held**, and only traditional cockfights authorized or licensed under existing laws are exempt from this suspension;

WHEREAS, an additional feature of e-sabong, as defined by the Philippine Amusement and Gaming Corporation, is the use of pool betting, or the pari-mutuel system, to determine payouts or dividend rates, as opposed to the traditional bookmaking method generally used in sports betting; as provided in the *Regulatory Framework for Electronic Sabong (E-Sabong)* issued by PAGCOR;

WHEREAS, TALPAK or machine betting, an offshoot of e-sabong, does not use the traditional mode of in-person betting, or the mode of betting (***logro)*** as specified in the Municipal Revised Cockfighting Ordinance, and instead uses pool betting;

WHEREAS, Section 7, or the Revocation Clause, of Municipal Ordinance No. 2022-133, entitled *"An Ordinance Granting Franchise to Patrick V. Makabenta to Establish, Operate, and Maintain a Cockpit Arena in the Municipality of Carigara, Leyte,"* provides that the franchise and the accompanying business permit shall be automatically revoked or canceled upon proof of non-compliance with the conditions set forth therein, or for violation of the provisions of Presidential Decree No. 449 and other pertinent ordinances, rules, and regulations;

WHEREAS, the traditional mode of in-person betting is the primary, preferred, and the only allowed method of betting in the Canggara Amusement Center.

WHEREFORE, premises considered, on motion of the Hon. Myla Ligutan Aguilar, seconded by Hon. Fernando N. Moriel and Hon. Mildred C. Modesto, it was

RESOLVED, as it is hereby resolved, to reiterate the use of the traditional mode of in-person betting as provided in the Municipal Revised Cockfighting Ordinance.

Page 3/3. Res. No.2025-114 dated September 8, 2025–
"***A Resolution Reiterating the Use of the Traditional Mode of In-Person Betting as Provided in the Municipal Revised Cockfighting Ordinance***"

RESOLVED FINALLY, that copies of this excerpt be furnished to the Office of the Municipal Mayor, the Canggara Amusement Center, Brgy. Parag-um, and all concerned for information and guidance.

APPROVED UNANIMOUSLY, this 8th day of September 2025 at the SB Session, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor / Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 25TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON DECEMBER 17, 2025

* * * * *

RESOLUTION NO. 2025-312

A RESOLUTION DENYING THE REQUEST OF MR. PATRICK V. MAKABENTA TO HOLD FIVE (5) DAYS PINTAKASI ON DECEMBER 22, 23, 24, 27, AND 29, 2025, AT CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE FOR THE ENTERTAINMENT OF TOURISTS AND TO BOOST LOCAL ECONOMY AT CANGGARA AMUSEMENT CENTER, BARANGAY PARAG-UM, CARIGARA, LEYTE, DUE TO THE PENDENCY OF A SHOW CAUSE ORDER RELATIVE TO THE REGULATION OF GALLERA OPERATIONS AND FOR BEING INCONSISTENT WITH THE PROVISION OF PD 449.

WHEREAS, the Sangguniang Bayan of Carigara received an endorsement from the Office of the Municipal Mayor dated December 09, 2025, with an attached letter of Mr. Patrick V. Makabenta dated December 01, 2025, requesting authority to hold five (5) days of Pintakasi on December 22, 23, 24, 27, and 29, 2025, at the Canggara Amusement Center, Barangay Parag-um, Carigara, Leyte;

WHEREAS, pursuant to Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, the Sangguniang Bayan is vested with legislative, regulatory, and oversight authority over activities within its territorial jurisdiction, including the regulation of gallera operations and activities affecting public order, safety, and morals;

WHEREAS, in the exercise of its regulatory authority and in the course of evaluating the said request, the Sangguniang Bayan issued a **Show Cause Order** to Mr. Patrick V. Makabenta relative to the regulation of gallera operations, directing him to explain and address specific material issues and concerns;

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CARBALLES
DATE:

WHEREAS, the Show Cause Order was received by Mr. Patrick V. Makabenta on December 15, 2025, and expressly granted him a period of ten (10) days from receipt within which to submit his explanation;

WHEREAS, as of the date of consideration of the subject request, the period granted under the Show Cause Order has not yet lapsed, and compliance therewith remains pending;

WHEREAS, the Sangguniang Bayan finds that acting favorably on an application while material regulatory issues are pending resolution would be premature and inconsistent with its duty to ensure compliance with laws and regulations governing gallera operations;

WHEREAS, PD 449, otherwise known as the Cockfighting Law of 1974, particularly Sec. 5(e) thereof, allows the holding of cockfighting for entertainment of tourists as maybe authorized by the Office of the President, upon resolution by the Sanggunian, in licensed cockpits or in playgrounds or parks, provided, this privilege shall be extended for only one time, for a period not exceeding (3) days, within a year to a province, city or municipality;

WHEREAS, it is a settled principle that local legislative acts must not be inconsistent with national laws and shall, in case of conflict, **yield thereto;**

WHEREAS, after careful review and exhaustive deliberation, the August Body finds that the subject request is not in conformity with existing laws, rules, and regulations, and that the pendency of the Show Cause Order renders the application legally untenable at this time;

NOW, THEREFORE, on motion of Honorable Fernando N. Moriel, duly seconded by the Members of the Sangguniang Bayan, BE IT RESOLVED, as it is hereby resolved, that the Sangguniang Bayan of Carigara DENIES, WITHOUT

"A RESOLUTION DENYING THE REQUEST OF MR. PATRICK V. MAKABENTA TO HOLD FIVE (5) DAYS PINTAKASI ON DECEMBER 22, 23, 24, 27, AND 29, 2025..."

PREJUDICE, the request of Mr. Patrick V. Makabenta to hold five (5) days Pintakasi on December 22, 23, 24, 27, and 29, 2025, at the Canggara Amusement Center, Barangay Parag-Um, Carigara, Leyte, due to the pendency of a duly issued Show Cause Order relative to the regulation of gallera operations and for being inconsistent with the provisions of Presidential Decree No. 449.

RESOLVED FURTHER, that the denial herein is without prejudice to the filing of a new application upon full compliance with the Show Cause Order and all applicable laws, rules, and regulations.

APPROVED UNANIMOUSLY this 17th day of December 2025 at the Sangguniang Bayan Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor / Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 35TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON MARCH 2, 2026

* * * * *

RESOLUTION NO. 2026-102

A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, RELEVANT MUNICIPAL ORDINANCES REGULATING COCKFIGHTING, AND PRESIDENTIAL DECREE NO. 449 (COCKFIGHTING LAW OF 1974)

WHEREAS, the Sangguniang Bayan of Carigara enacted Municipal Ordinance No. 2022-133 on March 16, 2022, granting a cockpit franchise to Mr. Patrick Makabenta to establish and operate a cockpit within the Municipality of Carigara, Leyte;

WHEREAS, the grant of a cockpit franchise is a privilege subject to strict compliance with the conditions set forth in the franchise ordinance, existing municipal ordinances regulating cockfighting activities, and Presidential Decree No. 449, otherwise known as the Cockfighting Law of 1974;

WHEREAS, the Sangguniang Bayan, pursuant to Section 447(a)(3)(v) of Republic Act No. 7160 (Local Government Code of 1991), is vested with the authority to regulate cockpits and cockfighting activities within its territorial jurisdiction;

WHEREAS, records, reports, and findings presented before this

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE - CHB/ALLES
DATE:

"A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUN. ORDINANCE NO. 2022-133,...

Honorable Body show that the franchise holder committed acts constituting violations and non-compliance with the provisions and conditions of Municipal Ordinance No. 2022-133, relevant municipal ordinances regulating cockfighting, and Presidential Decree No. 449; specifically, as follows: (a) OPERATING WITHOUT THE REQUISITE PERMIT. Holding of cockfighting derby activities without securing the requisite Special Permit from the Municipal Mayor and authorization from the Sangguniang Bayan, in direct violation of Section 6 of Municipal Ordinance No. 2022-133, (b) WILLFUL DEFIANCE OF LOCAL LEGISLATION AND LOCAL EXECUTIVE ORDERS. Deliberate and continued defiance of Sangguniang Bayan Resolution No. 2025-114, as incorporated in the Mayor's Permit, which mandated the exclusive use of the traditional mode of in-person betting, constituting a violation of the conditions of the permit granted, (c) SIMULATION OF OWNERSHIP AND QUALIFICATION MISREPRESENTATION. Violation of the ownership qualification requirements through the discovery of simulation of ownership (misrepresentation of the franchise grantee to be the true owner of the cockpit), which invalidates the license/permit, (d) FALSIFICATION OF PUBLIC RECORD AND OBSTRUCTION OF LEGISLATIVE INQUIRY. Falsification of public records by attempting to alter or misrepresent the actual provisions of Municipal Ordinance No. 2022-133 and Section 15 of Municipal Order No. 07- 05 in a formal reply to the Show Cause Notice, intentionally misleading the legislative body to circumvent the mandatory automatic revocation provided in Section 7 of Municipal Ordinance No. 2022-133, (e) ON THE REAL PROPERTY AND THE

ISSUE OF NOT HAVING A LICENSED COCKPIT. The cockpit arena of the Canggara Amusement Center is not a licensed cockpit and is prohibited from operating, as Lot 3904-A remains unresolved in reclassification and lacks the required DAR Conversion Order, which is mandatory for any lawful change from agricultural use. Its continued operation constitutes a clear violation of Municipal Ordinance No. 2005-07, Presidential Decree No. 449, and other applicable national and local laws, and must therefore be immediately ceased.

WHEREAS, the franchise holder concerned was given due notice and opportunity to explain the alleged violations and non-compliance to satisfy the requirements of due process;

WHEREAS, after due consideration of the records, reports, and submissions

presented, the Sangguniang Bayan finds that there exists a sufficient factual and legal basis to declare that the franchise holder has committed violations.

NOW, THEREFORE, on motion of Hon. Fernando N. Moriel, duly seconded by Hon. Myla L. Aguilar, Hon. Mildred C. Modesto, and Hon. Vilma M. Domus, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte, in session duly assembled, to DECLARE that the

"A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUN. ORDINANCE NO. 2022-133,...

cockpit franchise holder, MR. PATRICK MAKABENTA, has committed violations and non-compliance with the provisions of Municipal Ordinance No. 2022-133, relevant municipal ordinances regulating cockfighting activities, and Presidential Decree No. 449.

RESOLVED FURTHER, that this declaration shall serve as the official finding of this Honorable Body regarding the violations committed by the franchise holder, which may be used as basis for the appropriate action in accordance with existing laws and ordinances.

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the Municipal Mayor and Mr. Patrick Makabenta, for their information.

APPROVED UNANIMOUSLY this 2nd day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

* * * * *

I **HEREBY CERTIFY** that this is a true and accurate copy of the ordinance duly enacted by the Sanggunian on 2 March 2026.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

TAMMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

"A RESOLUTION DECLARING THAT THE COCKFIGHTING FRANCHISE HOLDER, MR. PATRICK MAKABENTA, HAS COMMITTED VIOLATIONS AND NON-COMPLIANCE WITH THE PROVISIONS OF MUN. ORDINANCE NO. 2022-133,...

Concurred:

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

ULPIANO U. ARPON JR
SB Member

MYLA L. AGUILAR
SB Member

GUILLERMO L. PANAL
SB Member

DANIEL N. ARIASO JR.
SB Member- SK Fed. Pres.

JOENLEE C. LARRAGA
SB Member
(Forced Leave)

ARVIN N. URMENETA
SB Member- LnB Pres.
(OT in Cebu City)

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. BERVESTRE-CATOLLOS
DATE: BACONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 36TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON MARCH 10, 2026

* * * * *

RESOLUTION NO. 2026-111 (RESCINDED MAR 16, 2026)

A RESOLUTION URGING HON. CARLO ANGELO B. GO, CHAIRMAN OF THE COMMITTEE ON GAMES AND AMUSEMENT AND FRANCHISE TO CONCLUDE THE EXERCISE OF DUE PROCESS IN REFERENCE TO COMMITTEE'S FINDINGS OF THE COCKFIGHTING ACTIVITIES AT CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE AND COME OUT WITH SPECIFIC VIOLATIONS AND NON-COMPLIANCE WITH MUNICIPAL ORDINANCES AND OTHER PERTINENT LAWS IN RELATION TO THE EXISTING RESOLUTIONS OF THE SANGGUNIANG BAYAN MEMBERS CONFIRMING THE EXISTING VIOLATIONS AND NONCOMPLIANCE OF MUNICIPAL ORDINANCE NO. 2022-133

WHEREAS, the Sangguniang Bayan of Carigara, Leyte, enacts Municipal Ordinance No. 2022-133 on March 16, 2022, granting franchise to Mr. Patrick V. Makabenta to establish, operate, and maintain a cockpit arena and providing rules and regulations of its operation and the conduct of cockfighting activities within the Municipality of Carigara, Leyte;

WHEREAS, subsequent reports and investigations conducted by the Committee of the Whole, chaired by the Committee on Games and Amusement, and Franchise indicate alleged violations and non-compliance with the said ordinance and other pertinent laws;

WHEREAS, it is imperative that due process be observed in handling these matters to ensure transparency, accountability, and proper enforcement of municipal regulations;

WHEREAS, existing resolutions of the Sangguniang Bayan of Carigara have confirmed that violations and non-compliance with Municipal Ordinance No. 2022-133 exist and require immediate attention;

WHEREAS, it is fitting and proper that the Sangguniang Bayan urges the Chairman of the Committee on Games and Amusement and Franchise to conclude

"A RESOLUTION URGING HON. CARLO ANGELO B. GO, CHAIRMAN OF THE COMMITTEE ON GAMES & AMUSEMENT & FRANCHISE TO CONCLUDE THE EXERCISE OF DUE PROCESS IN REFERENCE TO COMMITTEE'S FINDINGS OF THE COCKFIGHTING ACTIVITIES AT CAC..."

the exercise of due process, and officially issue a report detailing specific violations and instances of non-compliance;

NOW, THEREFORE, on motion of Hon. Fernando N. Moriel, duly seconded by Hon. Myla L. Aguilar and Hon. Vilma M. Domus, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte, to urge the Chairman of the Committee on Games and Amusement and Franchise to conclude the exercise of due process regarding the Committee's findings about the reported cockfighting activities at Canggara Amusement Center, Brgy. Paragum, Carigara, Leyte and to come out with specific findings of violations and non-compliance with Ordinance No. 2024-133 and other relevant laws;

RESOLVED FINALLY, that copies of this resolution be furnished to Hon. Carlo Angelo B. Go, Chairman of the Committee on Games and Amusement and Franchise for appropriate action.

APPROVED this 10th day of March 2026, at the SB Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

GUILLERMO I. PANAL
SB Member
Temp. Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 37TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON MARCH 16, 2026

* * * * *

RESOLUTION NO. 2026-113

A RESOLUTION RESCINDING RESOLUTION NO. 2026-110 DATED MARCH 10, 2026, WHICH IMPOSED A THIRTY (30)-DAY SUSPENSION OF COCKPIT OPERATIONS OF CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE

WHEREAS, Resolution No. 2026-111 was duly adopted on March 10, 2026, to effect a thirty (30)-day suspension of cockpit operations of Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte due to deliberate and continued defiance of Sangguniang Bayan Resolution No. 2025-114 "REITERATING THE USE OF THE TRADITIONAL MODE OF IN-PERSON BETTING AS PROVIDED IN THE MUNICIPAL REVISED COCKFIGHTING ORDINANCE", and the Memorandum Order of the Municipal Mayor directing strict compliance therewith, as incorporated in the Mayor's Permit.

WHEREAS, the August Body, after careful review, determined that the imposition of the 30-day suspension is moot and academic in light of the recommendation for revocation of franchise granted to Mr. Patrick V. Makabenta;

NOW, THEREFORE, on motion of Hon. Fernando N. Moriel, duly seconded by Hon. Mildred C. Modesto and Hon. Myla L. Aguilar, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, Leyte, hereby rescinds Resolution No. 2026-110 dated March 10, 2026, which imposed a thirty (30)-day suspension of cockpit operations of Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte;

RESOLVED FINALLY, that copies of this Resolution be furnished to Mr. Patrick V. Makabenta, Operations Manager, Canggara Amusement Center, Brgy. Parag-um, Carigara, Leyte, and all offices concerned for their information and appropriate action.

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CABALLES
DATE:

"A RESOLUTION RESCINDING RESOLUTION NO. 2026-110 DATED MARCH 10, 2026, WHICH IMPOSED A THIRTY (30)-DAY SUSPENSION OF COCKPIT OPERATIONS OF CANGGARA AMUSEMENT CENTER, BRGY. PARAG-UM, CARIGARA, LEYTE..."

APPROVED this 16th day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 37TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON MARCH 16, 2026

* * * * *

RESOLUTION NO. 2026-115

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

WHEREAS, the Sangguniang Bayan, in the exercise of its regulatory authority and police power under Section 447 of Republic Act No. 7160 (Local Government Code of 1991), has the authority to regulate cockpits and ensure compliance with the conditions of franchise granted by the Municipality;

WHEREAS, the Sangguniang Bayan of Carigara enacted Municipal Ordinance No. 2022-133 on March 16, 2022, granting a cockpit franchise to Mr. Patrick Makabenta to operate a cockpit within the Municipality of Carigara, Leyte;

WHEREAS, the grant of a cockpit franchise is a mere privilege subject to compliance with the conditions set forth under the Municipal Ordinance No. 2022-133, existing relevant Municipal Ordinances regulating the cockfighting activities, and Presidential Decree No. 449 (Cockfighting Law of 1974);

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE-CARDALLO
DATE:

A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

WHEREAS, consistent with the requirements of due process, the franchisee was duly notified of the alleged violations and was afforded full opportunity to be heard, including the submission of written explanation, supporting documents, and participation in deliberative proceedings conducted by the Sangguniang Bayan;

WHEREAS, after exercising due process and due deliberation, the Sangguniang Bayan of Carigara finds the explanations submitted by the franchisee to be insufficient, unmeritorious, and unsatisfactory to justify the noted breaches;

WHEREAS, official records and findings, as embodied in the Sangguniang Bayan Resolution No. 2026-102 dated March 2, 2026, conclusively established that the franchise holder committed violations and acts of non-compliance with the provisions of Municipal Ordinance No. 2022-133, other relevant municipal ordinances, and Presidential Decree No. 449;

WHEREAS, based on the foregoing, the Sangguniang Bayan finds that there exists sufficient factual and legal basis to warrant the revocation or cancellation of the privilege granted to Mr. Patrick Makabenta under the Cockfighting Franchise Ordinance No. 2022-133;

WHEREAS, in accordance with Municipal Ordinance no. 2022-133,

"A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

Section 7 - Revocation Clause, states that; "*The franchise including the complimenting business permit to operate shall be automatically revoked or cancelled upon showing of any non-compliance of the conditions set forth therein, and for violation of the provisions of PD 449 and other pertinent ordinance, rules or regulations.*"

WHEREAS, Section 7 of Municipal Ordinance No. 2022-133, further states that the cockfighting franchise granted to Mr. Patrick Makabenta is hereby declared revoked or cancelled for breach of the conditions of the franchise ordinance, existing relevant municipal ordinances, and PD 449.

NOW, THEREFORE, on motion of Honorable Fernando N. Moriel, duly seconded by Honorable Mildred C. Modesto and Honorable Myla L. Aguilar, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan of Carigara, Leyte, in session duly assembled, to DECLARE the REVOCATION and CANCELLATION of the cockpit franchise granted to Mr. Patrick Makabenta under Municipal Ordinance No. 2022-133, for violations and non-compliances.

RESOLVED FURTHER, that the Municipal Mayor, through the

"A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

Philippine National Police, the Municipal Treasurer, and other concerned offices, be directed to implement, enforce and ensure full compliance with this Resolution, including the cessation of all cockpit operations under the revoked franchise.

RESOLVED FINALLY, that copies of this Resolution be furnished to the Office of the Municipal Mayor, the Philippine National Police-Carigara Municipal Police Station, the Municipal Treasurer, and other concerned offices for their information and appropriate action.

APPROVED this 16th day of March 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

---

Voting on the foregoing Resolution was as follows:

AYES (Favor) : Hon. Fernando N. Moriel, Hon. Vilma M. Domus, Hon. Mildred C. Modesto, Hon. Myla L. Aguilar, Hon. Arvin N. Urmeneta, and Hon. Daniel N. Ariaso, Jr.

NAYS(Against): Hon. Carlo Angelo B. Go and Hon. Joenlee C. Larraga

INHIBITION : Hon. Guillermo I. Panal

* * * * *

"A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

JEREMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

Concurred:

FERNANDO N. MORIEL
SB Member

VILMA M. DOMUS
SB Member

MILDRED C. MODESTO
SB Member

CARLO ANGELO B. GO
SB Member

"A RESOLUTION DECLARING THE REVOCATION AND CANCELLATION OF THE COCKFIGHTING FRANCHISE GRANTED TO MR. PATRICK MAKABENTA FOR VIOLATIONS AND NON-COMPLIANCE TO THE PROVISIONS OF MUNICIPAL ORDINANCE NO. 2022-133, EXISTING RELEVANT MUNICIPAL ORDINANCES, AND PRESIDENTIAL DECREE NO. 449.

ULPIANO U. ARPON JR.
SB Member

JOENLEE C. LARRAGA
SB Member **(NO)**

GUILLERMO I. PANAL
SB Member

MYLA L. AGUILAR
SB Member

ARVIN N. URMENETA
SB Member-LnB Pres.

DANIEL N. ARIASO JR.
SB Member-SK Fed. Pres.

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com
BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 22ND REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON NOVEMBER 26, 2025

* * * * *

RESOLUTION NO. 2025-268

A RESOLUTION DIRECTING MR. PATRICK V. MAKABENTA A FINAL SHOW CAUSE ORDER WITHIN TEN (10) CALENDAR DAYS, WHY HIS FRANCHISE SHOULD NOT BE SUBJECTED TO FURTHER SANCTIONS OR AN APPROPRIATE LEGISLATIVE MEASURES.

WHEREAS, the Sangguniang Bayan is vested under the Local Government Code of 1991 with the authority to impose appropriate sanctions upon individuals under its jurisdiction for acts inimical to the integrity of the legislative body;

WHEREAS, this Resolution is being issued after a series of appearances by Mr. Patrick V. Makabenta before the Sangguniang Bayan, during which he was accorded full opportunity to clarify and address the issues surrounding the operation of the Canggara Amusement Center;

WHEREAS, it has been brought to the attention of this August Body, pursuant to Committee Report No. 2025-06 submitted by the Committee of the Whole and duly adopted through SB Resolution No. 2025-267, that several issues require the formal response of Mr. Makabenta;

WHEREAS, the matters requiring clarification and explanation issues to be resolved by Mr. Patrick V. Makabenta are as follows:

1. That the authority granted under Section 1 of Municipal Ordinance No. 2022-133 to a sole proprietor was effectively delegated to another individual acting as "Operations Manager", without prior notice or approval of the Sangguniang Bayan, in violation of Section 4 of the same Ordinance, which expressly prohibits the sale, assignment, lease, usufruct, or transfer of the rights and privileges granted under the franchise without prior approval of the SB; and that, notwithstanding the recent passage of SB Resolution reiterating that only traditional mode of betting shall be implemented, the continued and unauthorized

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: RACHELLYN A. SILVESTRE-CABALLES
DATE:

use of machine-based technology or technology-driven betting has been observed;

2. That he must take address and duly respond to the legal opinion of the Provincial Legal Office–solicited by the Office of the Sangguniang Bayan pursuant to SB Resolution No. 2024-129 dated April 24, 2024 (***attached as Annex "A" and series***)–which opined that the Carigara Amusement Center is, for all legal intents and purposes, operating as an unlicensed cockpit; and

3. That he must take cognizance of, and act upon, Resolution No. 2022-130 of the Sangguniang Panlalawigan of the Province of Leyte (***attached as Annex "B" and series***), requiring the submission of a tax clearance and estate tax clearance as prerequisites for the reclassification of Lot No. 3904-A, located at Brgy. Parag-um, Carigara, Leyte, under Municipal Ordinance No. 2022-132.

WHEREAS, if substantiated, these acts may constitute grounds for the imposition of a legislative sanctions under the Municipal Ordinance No. 2022-133 and other applicable laws.

WHEREFORE, *on Motion of the Honorable Carlo Angelo B. Go, seconded by all Sangguniang Bayan Members present, be it*

RESOLVED as it is hereby resolved, to direct the issuance of a Final Show Cause Order to Mr. Patrick V. Makabenta, requiring him to submit, within Ten (10) calendar days from receipt thereof, a written explanation stating why his Franchise should not be subjected to further sanctions or to such appropriate legislative measures as the Sangguniang Bayan may deem warranted.

RESOLVED FINALLY, to furnish copies of this resolution to Mr. Patrick V. Makabenta, CAC Operations Manager, Brgy. Nauguisan, Carigara, Leyte for information and guidance.

Page 3/3 – Res. No.2025-268 dated November 26, 2025–
"A Resolution Directing Mr. Patrick V. Makabenta a Final Show Cause Order Within Ten (10) Calendar Days, Why His Franchise Should Not be Subjected to Further Sanctions..."

APPROVED UNANIMOUSLY this 26th day of November 2025 at the SB Session, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Attested:

FERNANDO N. MORIEL
SB Member
Temp. Presiding Officer

Item No.: 09

Date: 11 2024 JUN

6-7-24

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE

2nd INDORSEMENT
May 24, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through Sp Secretary, the attached Resolution No. 2024-129 of the Sangguniang Bayan of Carigara, Leyte.

Issues/concerns for legal opinion are as follows:

a. W/N SB Carigara can approve request to hold cock fighting activities pending Resolution declaring valid the ordinance reclassifying the land where the cockpit arena was constructed.

b. W/N SB Carigara's resolution granting franchise to Patrick Makabenta is valid.

Legal opinion and or comments:

I. As to the first inquiry, this office made reference to Section 5, par. d, of P.D. 449 otherwise known as the Cockfighting Law of 1974, relative to the holding of cockfighting which shall be allowed **only in licensed cockpits.**

With the facts provided by the documents attached, this office is of the opinion that the SB shall establish if the new cockpit arena has an approved license or without. If it is licensed, the holding of cockfights shall be allowed provided that a valid Mayor's permit or Business permit has been issued therefor, if it is not yet licensed due to the fact of pendency of reclassification, that means that the cockpit arena is not yet allowed to operate as such.

As to intent of holding cockfighting in the Canggara Amusement Center, not intended as a cockpit center and the same being a public facility, this office is of the opinion that the Canggara Amusement Center is not a "licensed cockpit" as contemplated or exempted under P.D. 449. Hence, allowing the holding of cockfighting thereat would be an outward violation of Section 5, par (d) said decree.

II. As to the validity of franchise to operate cockpit arena. As per Section 447 (3) of the Local Government Code (RA 7160)[1], the grant of franchise can be by way of ordinance or a resolution as the code did not specifically provide

[1] Section 447 (3) of the Local Government Code (RA 7160)

the particular action for the Sanggunian to consider. The requirement to enact ordinances mentioned in said provision has particular reference to the issuance of permits or licenses, among others.

Perusal of the details provided, considering compliance to Section 56 of the Local Government Code of 1991 on review of resolutions, this office is of the opinion that the grant of franchise to operate Cockpit in favor of Patrick Makabenta is considered valid. Despite validity, however, this office finds it vital for the proponent LGU to note that a franchise, by its nature being special privileges intended to private persons or corporations, are subject to rules and regulations set forth by the said franchise and by the local government code such as application of mayor's business permits, building permits among others. The franchise neither confers proprietary rights nor preclude the grantor to withdraw the same for cause. [2]

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents as presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or courts.

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

[2] DILG Opinion No. 53, s. 2005

Annex A-2

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

BAGONG PILIPINAS

May 2, 2024

Atty. ALDEN AVESTRUZ
Provincial Legal Officer
Sangguniang Panlalawigan
Palo, Leyte

Dear Sir:

We are respectfully forwarding the attached ***Resolution No. 2024-129*** of the 19th Council of the Sangguniang Bayan of Carigara, Province of Leyte dated April 24, 2024, entitled - **"A RESOLUTION EARNESTLY REQUESTING THE SANGGUNIANG PANLALAWIGAN OF LEYTE, THRU ITS PROVINCIAL LEGAL OFFICER FOR LEGAL OPINION WHETHER THE SANGGUNIANG BAYAN, CARIGARA, LEYTE CAN APPROVE REQUEST TO HOLD COCKFIGHTING ACTIVITES AT THE CANGGARA AMUSEMENT CENTER SANS ABSENCE OF SANGGUNIANG PANLALAWIGAN RESOLUTION DECLARING VALID THE ORDINANCE RECLASSIFYING THE LAND WHERE THE COCKPIT ARENA WAS CONSTRUCTED AND THE ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTABLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE".**

Also Attached hereto is the **Committee Report No. 2024-26 and the DILG opinion no. 19, s. 2018** for your ready reference.

For your consideration and appropriate action.

Very truly yours,

For the Sanggunian:

ROMEO M. VIOJAN
SB Secretary

Annex B-1

VP

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Telephone No. (053) 530-5344 E-mail Address: sanggunianglbayancarigara@gmail.com

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 90TH REGULAR SESSION OF THE 19TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON APRIL 24, 2024

* * * * *

RESOLUTION NO. 2024-129

A RESOLUTION EARNESTLY REQUESTING THE SANGGUNIANG PANLALAWIGAN OF LEYTE, THRU ITS PROVINCIAL LEGAL OFFICER FOR LEGAL OPINION WHETHER THE SANGGUNIANG BAYAN, CARIGARA, LEYTE CAN APPROVE REQUEST TO HOLD COCKFIGHTING ACTIVITIES AT THE CANGGARA AMUSEMENT CENTER SANS ABSENCE OF SANGGUNIANG PANLALAWIGAN RESOLUTION DECLARING VALID THE ORDINANCE RECLASSIFYING THE LAND WHERE THE COCKPIT ARENA WAS CONSTRUCTED AND THE ORDINANCE GRANTING FRANCHISE TO PATRICK V. MAKABENTA TO ESTABLISH, OPERATE AND MAINTAIN COCKPIT ARENA IN THE MUNICIPALITY OF CARIGARA, LEYTE.

WHEREAS, the Sanggunian Bayan, Carigara, Leyte approved on January 19, 2022, Municipal Ordinance No. 2022-132 – "*An ordinance reclassifying parcel of land from agricultural to commercial use, particularly Lot No. 3904-A, owned by Ms. Victoria Bolong located at Brgy. Parang-um, Carigara, Leyte, with a total land area of 10,000 square meters*";

WHEREAS, on March 4, 2022 the Sanggunian Panlalawigan passed Resolution No. 2022-130 – "*A resolution requiring submission of tax clearance and estate tax clearance for reclassification on Lot No. 3904-A located at Brgy. Parang-um, Carigara, Leyte under Ordinance No. 2022-132*" which to date have not yet been complied by the owner of the lot;

WHEREAS, the Sanggunian Bayan, Carigara, Leyte passed and approved on March 16, 2022, Municipal Ordinance No. 2022-133 – "*An ordinance granting franchise to Patrick V. Makabenta to establish, operate and maintain cockpit arena in the Municipality of Carigara, Leyte*";

WHEREAS, the aforementioned Ordinance No. 2020-133 was referred to the SP Committee on Games and Amusement on May 24, 2022 per SP Resolution No. 2022-260, and since then to date no update came from the Sanggunian Panlalawigan;

WHEREAS, in view of the foregoing, this August Body deemed it proper to ask for legal opinion with the Sanggunian Panlalawigan, thru its Provincial Legal Officer to settle once and for all whether the Sanggunian Bayan can validly approve the holding of cockfights in the cockpit

Annex B-2

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

Telephone No. (053) 530-5144 E-mail Address: sanggunianglbayancarigara@gmail.com

BAGONG PILIPINAS

Page 2/2 – Res. No. 2024-129 dated April 24 14, 2024–
"A *RESOLUTION EARNESTLY REQUESTING THE SANGGUNIANG PANLALAWIGAN OF LEYTE, THRU ITS PROVINCIAL LEGAL OFFICER FOR LEGAL OPINION WHETHER THE SANGGUNIANG BAYAN, CARIGARA, LEYTE CAN APPROVE REQUEST TO HOLD COCKFIGHTING ACTIVITIES ...*"

arena pending declaration of validity by the SP of Ordinance No. 2022-132 and Ordinance No. 2022-133.

WHEREFORE, *on Motion of the Honorable Joselu N. Guia, seconded by Honorable Alfredo C. Modesto, be it*

RESOLVED, as it is hereby resolved to request the Sangguniang Panlalawigan of Leyte, thru its Provincial Legal Officer for legal opinion whether the Sangguniang Bayan, Carigara, Leyte can approve request to hold cockfighting activities at the Canggara Amusement Center sans absence of Sangguniang Panlalawigan resolution declaring valid the ordinance reclassifying the land where the cockpit arena was constructed and the ordinance granting franchise to Patrick V. Makaberan to establish, operate and maintain cockpit arena in the Municipality of Carigara, Leyte.

RESOLVED FINALLY, that copy of this resolution be forwarded to the Provincial Legal Officer, Sangguniang Panlalawigan of Leyte, Palo, Leyte and all offices concerned for information and appropriate action.

APPROVED, this 24th day of April 2024, in Carigara, Leyte.

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

ROMEO M. MOJAR
SB Secretary

Attested:

HANNY A. CAMPOSANO
Municipal Vice Mayor/ Presiding Officer

Annex B-3

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES/JOURNAL OF THE 128TH REGULAR SESSION OF THE 18TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON JANUARY 19, 2022.

PRESENT:

Hon. Eduardo T. Ong Jr.	---------- Mun. Vice Mayor-Presiding Officer
Hon. Jimmy A. Camposano	---------- SB Member
Hon. Esteban B. Go	---------- SB Member
Hon. Raul Z. Lloren	---------- SB Member
Hon. Lorna A. Marpa	---------- SB Member
Hon. Guillermo I. Panal	---------- SB Member
Hon. Reynaldo A. Bodo	---------- SB Member
Hon. Armando M. Negado	---------- SB Member
Hon. Othello M. Crisostomo	---------- SB Member
Hon. Joselu N. Guia	---------- SB Member-Liga Fed. President
Hon. Dean Aaron G. Lauron	---------- SB Member-SK Fed. President

ABSENT:

None

* * * * *

ORDINANCE NO. 2022-132

AN ORDINANCE RECLASSIFYING PARCEL OF LAND FROM AGRICULTURAL TO COMMERCIAL USE, PARTICULARLY LOT 3904-A, OWNED BY MA. VICTORIA NARIDO BOLONG LOCATED AT BRGY. PARAG-UM, CARIGARA, LEYTE, WITH A TOTAL LAND AREA OF 10,000 SQUARE METERS

(*Sponsor: Hon. Raul Z. Lloren*)

WHEREAS, Section 20 of the Local Government Code of 1991 provides that cities and municipalities may reclassify agricultural lands into non-agricultural uses within their respective jurisdiction under any of the following cases:

(1) When the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture (DA); or

(2) Where the land shall have substantially greater economic value for residential, commercial, or industrial purposes as determined by the Sanggunian concerned;

JIMMY A. CAMPOSANO SB Member | ESTEBAN B. GO Member | RAUL Z. LLOREN SB Member | LORNA A. MARPA SB Member

EDUARDO T. ONG JR. Mun. Vice Mayor-Pres. Office
SB Member-SK Fed. Pres.
SB Member-Liga Fed. Pres.
OTHELLO M. CRISOSTOMO SB Member
ARMANDO M. NEGADO SB Member
REYNALDO A. BODO SB Member
GUILLERMO I. PANAL SB Member

CANGGARA AMUSEMENT CENTER (CAC)
Municipality of Carigara
Province of Leyte

REQUEST FOR EXTENSION

DATE: 22 December 2025

TO :
SANGGUNIANG BAYAN
Municipality of Carigara

FROM :
PATRICK V. MAKABENTA
Franchisee / Proprietor
Canggara Amusement Center

RECEIVED :
01/05/2026

SUBJECT :
Request for Extension of Time to File Answer

Honorable Members of the Sangguniang Bayan:

The undersigned respectfully states that he received on **15 December 2025** Sangguniang Bayan **Resolution No. 2025-268**, entitled:

> *"A Resolution Directing Mr. Patrick V. Makabenta to Submit a Final Show Cause Answer Within Ten (10) Calendar Days Why His Franchise Should Not Be Subjected to Further Sanctions or Other Appropriate Legislative Measures."*

In this regard, the undersigned respectfully **requests an extension of time** within which to **submit his Answer** to the said Show Cause Order.

Due to the unexpected increase in urgent workload during the Christmas season, as well as the complexity of the legal and factual issues involved, additional time is necessary to prepare a complete, accurate, and well-supported response. The undersigned likewise respectfully requests copies of the Minutes of the relevant Committee Meetings and/or Hearings on the issues subject of the Resolution, as

these are essential for the preparation of a precise and responsive Answer.

Accordingly, the undersigned respectfully requests that he be granted **ten (10) working days from receipt of the requested Minutes** within which to submit his Answer. He undertakes to comply fully within the extended period should this request be favorably considered.

Thank you for your kind consideration. Merry Christmas and a Prosperous New Year to the Honorable Members of the Sangguniang Bayan.

PATRICK V. MAKABENTA
Franchisee / Proprietor

REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN
Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

CERTIFIED TRUE COPY
FROM THE ORIGINAL
BY: [illegible]
DATE:

BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 31ST REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON FEBRUARY 2, 2026

* * * * *

RESOLUTION NO. 2026-039B

A RESOLUTION DIRECTING MR. PATRICK V. MAKABENTA TO SHOW CAUSE WHY HE SHOULD NOT BE GIVEN LEGISLATIVE SANCTION FOR CONDUCTING FIVE (5) DAYS PINTAKASI ON DECEMBER 22, 23, 24, 27, AND 29, 2025 AND A DERBY LAST JANUARY 25, 2026, WITHOUT PRIOR AUTHORITY FROM THE SANGGUNIANG BAYAN, NEITHER ANY SPECIAL PERMIT ISSUED BY THE MUNICIPAL MAYOR

WHEREAS, the Sangguniang Bayan has the authority under the Municipal Ordinance No. 07-005 – "*An Ordinance Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting and Commercial Breeding of Game Cocks in Carigara, Leyte*", as amended by Municipal Ordinance No. 2020-111 – "*An Ordinance Amending Section 4A; 4C Sub section 2, 3, 6; Section 4F; Section 5A, Section 6A; Section 7; and Section 9 of Municipal Ordinance No. 07-005* ", to impose appropriate sanctions upon members or individuals under its jurisdiction for acts inimical to the integrity of the legislative body;

WHEREAS, it has been brought to the attention of this August Body that the Canggara Amusement Center, under Franchise Holder Mr. Patrick V. Makabenta conducted or hold a Pintakasi on December 22, 23, 24, 27, & 29, 2025 and a Derby last January 25, 2026, without prior authority from the Sangguniang Bayan and a Special Permit from the Municipal Mayor, violative under Section 4 (9)(2) of the Municipal Ordinance No. 07-005, as amended by Municipal Ordinance No. 2020-111; and Section 6 of Municipal Ordinance No. 2022-133 (Franchise Ordinance);

WHEREAS, such violations, if proven true, may constitute grounds for imposition of a legislative sanction under PD 449 and the above cited Municipal Ordinance/s.

Page 2/2 Res. No. 2026-039B dated February 2, 2026-
"A RESOLUTION DIRECTING MR. PATRICK V. MAKABENTA TO SHOW CAUSE WHY HE SHOULD NOT BE GIVEN LEGISLATIVE SANCTION FOR CONDUCTING FIVE (5) DAYS PINTAKASI ON DECEMBER 22, 23, 24, 27 & 29, 2025, AND A DERBY LAST JANUARY 25, 2026, WITHOUT PRIOR AUTHORITY FROM THE SANGGUNIANG BAYAN, NEITHER ANY SPECIAL PERMIT ISSUED BY THE MUNICIPAL MAYOR."

NOW, THEREFORE, on motion of Honorable Carlo Angelo B. Go, duly seconded by Honorable Joenlee C. Larraga, be it:

RESOLVED, AS IT IS HEREBY RESOLVED, that the Sangguniang Bayan of Carigara, hereby directs Mr. Patrick V. Makabenta to show cause why he should not be given legislative sanction for conducting five (5) days Pintakasi on December 22, 23, 24, 27, and 29, 2025, and a derby last January 25, 2026, without prior authority from the Sangguniang Bayan, neither any special permit issued by the Municipal Mayor.

RESOLVED FINALLY, that copy hereof be furnished to Patrick V. Makabenta, Brgy. Nauguisan, Carigara, Leyte, for information and guidance.

APPROVED UNANIMOUSLY this 2nd day of February 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY to the correctness of the foregoing excerpt.

RACHELYN A. SILVESTRE-CABALLES
Secretary to the Sanggunian

Attested:

JIMMY A. CAMPOSANO
Municipal Vice-Mayor /Presiding Officer

February 26, 2026

TO:
SANGGUNIANG BAYAN
Municipality of Carigara,
Province of Leyte

CERTIFIED COPY
FROM THE ORIGINAL
BY: RACHELYN H. ALVENTRE-CAGALAN Juvy MORFE
DATE: 2/27/26 @ 10:25am

FROM:
PATRICK V. MAKABENTA
Canggara Amusement Center
Franchisee/Proprietor

SUBJECT: WRITTEN EXPLANATION IN COMPLIANCE WITH SECOND SHOW CAUSE RESOLUTION (SB RESOLUTION NO. 2026-039B)

Honorable Members of the Sangguniang Bayan:

I respectfully submit this SUPPLEMENTAL WRITTEN EXPLANATION in compliance with your latest show cause directive, building directly upon my previous submission which comprehensively addressed prior concerns regarding franchise validity, due process, and betting practices. I continue to operate in good faith, having implemented all corrective measures requested.

1. Reaffirmation of Prior Compliance

As exhaustively explained previously, my franchise under Municipal Ordinance No. 2022-133 remains valid per Provincial Legal Office Opinion (24 May 2024),[1] land-use approvals are complete (Ordinance No. 2022-132),[2] and no ordinance expressly prohibits internal electronic bet recording supporting traditional logro modes.[3] The recent Legal Office reply (R08-2026-02-11-003) to Vice Mayor Camposano reaffirms regulatory authority exists

[1] Provincial Legal Office of Leyte, 2nd Indorsement re: Resolution No. 2024-129 (24 May 2024).
[2] Municipal Ordinance No. 2022-132 (19 Jan 2022).
[3] Municipal Cockfighting Ordinance of Carigara, secs. 11-12.

subject to due process and existing ordinances, not unlimited discretion.

2. Explanation on the Issues:

Sometime in July 2025, I officially designated Mr. Joselu N. Guia as the Pit Manager of the Canggara Amusement Center (CAC).

If I recall correctly, during one of my appearances in Sangguniang Bayan, I requested to hold a Pintakasi for the Barangay Fiesta, and this Body approved my request with a condition to used traditional betting mode (Masyaray). I then informed Mr. Guia about the order. Mr. Guia told me that the previous Sangguniang Bayan Council hadn't objected to the Canggara Amusement Center's use of Machine Betting/Electronic Betting, under the principle that "what is not expressly or impliedly prohibited by law may be done, except when the act is contrary to morals, customs, and public order." He also provided me with a DILG Legal Opinion signed by Atty. Romeo P. Benitez regarding this issue, proof that machine betting is not illegal, hereto attached as **Annex "1"**.

Last December 2025, I requested Pintakasi schedules for December 22, 23, 24, 27, and 29, 2025, it was denied, partly due to the pending Show Cause Order. Mr. Guia was informed of the said denial. Instead, Mr. Guia conducted events on December 21 and 28 (Sundays), and December 23, 24, and 31, citing holidays. Though we were allowed to conduct cockfighting on December 25 and January 1, we opted not to have cockfights on those days.

Regarding the January 25, 2026 derby: Last December 27, 2025, Mr. Guia informed me of Chickboy Mapagmahal Promotion's plan to rent the Gallera for a derby on January 25, with a P50,000 rental fee. I told him I wouldn't submit a Special Permit application until the Show Cause Order is settled. He said it wasn't needed since it was a Sunday, citing Presidential Decree 449. However, I later realized a Special Permit was required. During January 27, 2026 Committee Hearing, I apologized to the Sangguniang Bayan

for my mistake. Admitting this, I relied too heavily on Mr. Guia's opinion given his former position. After that committee hearing, I terminated Mr. Guia as Pit Manager, citing the committee's recommendation to revoke the CAC franchise.

To afford Mr. Guia the opportunity to explain his side on the matter, I sent him a letter thru his registered mail dated February 24, 2026, hereto attached as **Annex "2"**.

3. No "Automatic Revocation" Under Section 17 – Graduated Penalties Control

The argument that Section 17 of Ordinance No. 2022-133 authorizes automatic revocation for any violation is erroneous. This misreads the ordinance's integrated penalty structure.

The Cockfighting Ordinance establishes **CLEAR GRADUATED PENALTIES**:

> *"**SECTION 15. PENALTIES.***
>
> *First Offense: P2,500 OR 10 days imprisonment, or both*
> *Second Offense: P5,000 OR 20 days imprisonment, or both*
> *Third Offense: REVOCATION of franchise*
> ****"
>
> Section 7 (Franchise Ordinance) provides only **GENERAL** authority:
>
> *"The Sangguniang Bayan may revoke or cancel any franchise granted hereunder upon showing of valid cause xxx"*

Franchise Ordinance Section 7 does NOT override Cockfighting Ordinance Section 15's specific graduated system.

Section 15, is the specific and integrated penalty clause establishing a graduated scheme, with revocation only as a third-offense consequence. Section 7 is a general clause stating that the

Sangguniang Bayan may revoke upon "valid cause." Under *generalia specialibus non derogant*, the specific provision governs and the general clause must be read to apply only to matters not covered by the specific penalty scheme; thus, Section 17 cannot be used to bypass or collapse the ordinance's graduated penalties into an "automatic revocation for any violation." (Causing v. People (2023);[4] CIR v. Yumex (2021);[5] Global Medical Center (2021)).[6]

4. No "Third Offense" Established – Still First Offense Level

Even accepting machine betting allegations arguendo:

- Prior explanation and corrective actions MOOT initial issues
- NO FORMAL FIRST PENALTY (P2,500 fine) was ever imposed per Section 15
- Thus, FIRST OFFENSE status continues – revocation requires documented THIRD offense after two prior penalties

5. Due Process Still Required Even for "Third Offense"

Even if (contrary to fact) this was a "third offense":

- CONSTITUTIONAL due process mandates hearing, evidence presentation, counsel[7]
- Section 17 requires "upon showing of valid cause" through procedure
- No ordinance can authorize automatic deprivation without hearing.[8]

6. Need to know who the COMPLAINANT is/are

In administrative proceedings like this, a complainant is typically required to initiate the process and provide evidence to support the

---

[4] *Causing v. People*, G.R. No. 258524, 11 Oct 2023.
[5] *CIR v. Yumex*, G.R. No. 222476, 5 May 2021.
[6] *Global Medical Center of Laguna, Inc. v. Ross Systems International, Inc.*, G.R. No. 230112, 11 May 2021.
[7] CONST., art. III, §1
[8] 435 Phil. 857.

allegations against respondent (in this case, Canggara Amusement Center). The complainant usually has direct interest in the matter and provides the basis for the investigation.

7. Prayer

WHEREFORE, I pray the Honorable Sangguniang Bayan:

a) DECLARE Section 15 (Cockfighting Ordinance) graduated penalties control over Section 7 (Franchise Ordinance) general authority;
b) NOTE no "third offense" exists – still at first offense level;
c) DECIDE every issue tackled, and;
d) GRANT FORMAL HEARING per due process.

Respectfully submitted, this 26th day of February, 2026, at Carigara, Leyte.

Patrick V. Makabenta
Franchise Holder, Carigara Amusement Center

SUBSCRIBED AND SWORN to before me this 26th day of February 2026 at Carigara, Leyte.

Doc. No.: 306 ;
Page No.: 63 ;
Book No.: VIII
Series of **2026.**

ATTY. WENCESLAO L. NARIDO, JR.
NOTARY PUBLIC
Carigara, Leyte
Notarial Commission Renewed | Valid Until December 31, 2026
Attorney's Roll No. 32637
IBP Lifetime Member No. 08399 | Leyte Chapter
MCLE Compliance No. VIII-0033074 | Valid Until 14 APR 28
PTR No. PL-13656801-C | 05 JAN 26 | Carigara, Leyte

Date: 12 January 2026

CERTIFIED TRUE COPY FROM THE ORIGINAL
BY: RACHELYN A. SILVESTRE - CABAÑAS
DATE:

Jan. JMV MOKPT 1/19/26 8:55AM

TO:
SANGGUNIANG BAYAN
Municipality of Carigara,
Province of Leyte

FROM:
PATRICK V. MAKABENTA
Canggara Amusement Center
Franchisee/Proprietor

SUBJECT: WRITTEN EXPLANATION IN COMPLIANCE WITH FINAL SHOW CAUSE ORDER ON SB RESOLUTION NO. 2025-268.

Honorable Members of the Sangguniang Bayan:

I, **Patrick V. Makabenta,** Filipino, of legal age, and grantee of the franchise under Municipal Ordinance No. 2022-133, respectfully submit this written explanation in compliance with SB Resolution No. 2025-268, directing me to show cause why my franchise should not be subjected to further sanctions or legislative measures.

This submission is made without admission of liability, in deference to the authority of this Honorable Body under R.A 7160 (Local Government Code) and the applicable municipal ordinances, and in faithful observance of due process.

For clarity, I address the (4) issues identified in the Final Show Cause Order:

1. Alleged "delegation" of franchise rights to an Operations Manager in violation of Section 4, Municipal Ordinance No. 2022-133;
2. Provincial Legal Office opinion allegedly characterizing Canggara Amusement Center as an "unlicensed cockpit";
3. Compliance with Sangguniang Panlalawigan Resolution No. 2022-130 on tax and estate tax clearance for Lot No. 8904-A; and,
4. The issue on the used of Machine Based or Technological Driven betting mode.

I. ON THE ALLEGED UNAUTHORIZED "DELEGATION" OF FRANCHISE RIGHTS

Issue: That the authority granted under Section 1 of Municipal Ordinance No. 2022-133 to a sole proprietor was supposedly delegated to another person acting as "Operations Manager" in violation of Section 4 thereof, which prohibits the sale, assignment, lease, usufruct or transfer of the rights and privileges under the franchise without prior SB approval.

On the first issue, I most respectfully submit that there has been no unauthorized delegation, sale, or transfer of the franchise granted to me under Section 1 of Municipal Ordinance No. 2022-133. Section 4 of the said Ordinance expressly prohibits only juridical acts that alienate or convey the franchise itself

specifically, the sale, assignment, lease, usufruct, or transfer of the rights and privileges granted therein without prior approval of the Sangguniang Bayan. These acts, by their very nature, involve a formal disposition that vests another person with proprietary or beneficial title to the franchise as such. In my case, I have never executed any deed, contract, or agreement of sale, assignment, lease, usufruct, or transfer of the franchise in favor of any person, including the individual referred to as "Operations Manager." I have at all times remained the sole franchise grantee, owner, and person legally accountable to this Honorable Body, and all applications, permits, and official dealings relating to the franchise are in my name. Thus, the literal and legal requisites of a "sale, assignment, lease, usufruct or transfer" contemplated by Section 4 are not present.

The person designated as Operations Manager has been engaged solely to assist in the day-to-day conduct of the establishment such as coordinating personnel, maintaining order, and overseeing routine administrative tasks. Consistent with common business practice and basic principles of civil law, a franchisee may lawfully employ managers or agents and may agree to compensate them, whether by fixed salary or by a defined share in the net profits of the business operations, without thereby transferring ownership of the franchise itself. The Operations Manager participates only in the profits of the enterprise by agreement, but he does not hold, and has never been granted, any title, right, or authority over the franchise as conferred by Municipal Ordinance No. 2022-133. He cannot represent himself as the franchisee; he has no power to dispose of, encumber, or assign the franchise; and he possesses no independent right to deal with the Sangguniang Bayan in place of, or on equal footing with, the undersigned. In legal contemplation, he is an agent and profit-sharing participant in the business, not a transferee or co-grantee of the franchise.

To interpret Section 4 as extending even to ordinary employment, management, or internal profit-sharing would unduly enlarge its scope beyond its clear wording and evident intent, and would effectively prohibit standard and necessary commercial arrangements that do not in any way divest the Sangguniang Bayan of its control over the identity and accountability of the franchise holder. The prohibition is more reasonably and correctly read as directed against genuine alienation or transfer of the franchise rights themselves, not against the lawful delegation of operational tasks or the contractual sharing of business proceeds, whereas in this case the franchise remains solely and exclusively in the name of, and under the responsibility of, the original grantee.

Nevertheless, out of the highest respect for this Honorable Body and to remove any doubt, I hereby expressly manifest that I am, and remain, the sole holder of the franchise under Municipal Ordinance No. 2022-133, and that the Operations Manager is and has always been merely an agent and contractual profit-sharer in the business operations, without any ownership, beneficial title, or independent right in the franchise itself. I further undertake that any future arrangement which may reasonably be viewed as a change in control or a true transfer of franchise rights shall not be entered into without first securing the prior written approval of the Sangguniang Bayan, in strict observance of Section 4. In view of these facts and commitments, there is, with due respect, no legal or factual basis to conclude that Section 4 has been violated, as no sale, assignment, lease, usufruct, or transfer of the franchise has ever taken place.

II. ON THE PROVINCIAL LEGAL OFFICE OPINION AND THE NATURE OF CANGGARA AMUSEMENT CENTER

Issue: That I must address the Provincial Legal Officer's opinion issued in response to SB Resolution No. 2024-129 which stated that Canggara Amusement Center is, "for all legal intents and purposes," operating as an unlicensed cockpit.

With all due respect, I address the opinion of the Provincial Legal Officer issued in response to Sangguniang Bayan Resolution No. 2024-129, which characterizes Canggara Amusement Center, "for all legal intents and purposes," as operating as an unlicensed cockpit. A careful and faithful reading of the opinion, however, shows that it expressly *recognizes the validity of the franchise granted* in my favor. The Provincial Legal Officer categorically opined that, pursuant to Section 447(a)(3) of Republic Act No. 7160 (Local Government Code of 1991), the Sangguniang Bayan is empowered to grant franchises by ordinance or resolution, and that, following compliance with Section 56 of the same Code on review of resolutions, the franchise to operate a cockpit remains valid, subject to compliance with applicable permits, licenses, and regulatory requirements. The opinion further underscores settled legal principles that a franchise is a special privilege rather than a vested proprietary right, that it is inherently subject to regulation, and that it may be withdrawn for cause. These principles are fully acknowledged and respected, as they are firmly rooted in statutory law and jurisprudence.

At the same time, the Provincial Legal Opinion itself is explicit in its advisory and non-binding character. It is based solely on the facts and documents made available at the time of issuance, remains subject to modification should additional facts emerge, and is expressly without prejudice to the views of higher administrative authorities or the courts. Under well-established doctrines in administrative law, such legal opinions are intended to guide local officials but do not, by themselves, conclusively determine factual findings, impose sanctions, or extinguish rights. More importantly, the opinion draws correctly a legal distinction between the validity of the franchise, which it affirms, and the separate requirement of licensing and permitting under Presidential Decree No. 449, the Cockfighting Law of 1974, and related regulations. The existence of a valid franchise does not negate the necessity of securing the appropriate licenses and permits, nor does it override statutory conditions governing cockpit operations. I do not dispute this distinction, nor do I deny the applicability of Section 5(d) of P.D. 449. From the outset, my position has been consistent: to rely in good faith on the franchise and ordinances duly granted by the Sangguniang Bayan, to comply with all permitting and regulatory requirements imposed by law, and to ensure that operations conform to the parameters set by this Honorable Body and by higher governing statutes.

Throughout the proceedings, I have acted with transparency, cooperation, and respect for institutional processes. I have appeared before the Sangguniang Bayan whenever summoned, responded to inquiries in good faith, and submitted myself to its authority, all while operating under the honest and reasonable belief that my actions were undertaken pursuant to a validly issued local franchise and existing ordinances. Now that the concerns of the Sangguniang Bayan and the

guidance of the Provincial Legal Officer have been clearly articulated, I expressly submit to the requirements of P.D. 449 and to any lawful implementing rules, conditions, or regulatory measures that this Honorable Body may deem proper to impose. I further manifest my willingness to suspend, limit, or otherwise structure operations strictly in accordance with such lawful directives while issues relating to reclassification, licensing, or permitting are being resolved. In view of my demonstrable good faith, absence of willful defiance, and continuing cooperation, I respectfully request that any compliance concerns be addressed through clear conditions and reasonable timelines, rather than immediate or unduly harsh sanctions, consistent with principles of fairness, proportionality, and sound local governance.

III. ON TAX CLEARANCE AND ESTATE TAX CLEARANCE FOR LOT NO. 3904-A (SP RESOLUTION NO. 2022-130)

Issue: That I must take cognizance of Sangguniang Panlalawigan Resolution No. 2022-130, which requires submission of tax clearance and estate tax clearance for Lot No. 3904-A as prerequisites for giving full effect to Municipal Ordinance No. 2022-132.

With all due respect, I take cognizance of Sangguniang Panlalawigan Resolution No. 2022-130, which requires the submission of a tax clearance and, where applicable, an estate tax clearance for Lot No. 3904-A as a prerequisite to giving full force and effect to Municipal Ordinance No. 2022-132 reclassifying the subject land. I respectfully submit, however, that the nature and extent of my legal relationship to the property must be clearly appreciated in the proper legal context.

Lot No. 3904-A, located in Barangay Parag-um, Carigara, Leyte, is expressly identified in Municipal Ordinance No. 2022-132 as being owned by Ma. Victoria Bolong. I do not claim ownership, title, or any proprietary interest over the land. My legal interest is confined to that of a franchisee and operator whose authority to undertake lawful activities on the site necessarily relies on the landowner's title and compliance with applicable property-related obligations. By both its substance and intent, Sangguniang Panlalawigan Resolution No. 2022-130 is primary directed at the registered owner of the property, and, where relevant, her heirs, who alone bear the legal obligation to secure the required tax clearance and estate tax clearance under existing tax and property laws. Nonetheless, I fully recognize that the completion of these clearances constitutes a condition precedent to the unqualified and unquestioned effectivity of the land's reclassification.

Consistent with principles of good faith, diligence, and respect for lawful authority, I have taken active and constructive steps to ensure compliance with the requirements of Sangguniang Panlalawigan Resolution No. 2022-130. I am presently coordinating with the landowner to facilitate the prompt securing of the necessary tax and estate clearances, and I have manifested my readiness, within the bounds of law and our contractual arrangements, to extend administrative assistance and, where legally appropriate, financial support to help expedite compliance. Upon completion, I am fully prepared to submit to this Honorable

Body proof that the required clearances have been duly obtained and properly filed with the Sangguniang Panlalawigan.

In addition, on the payment of estate tax of the land owner under lease. Our Franchise was granted based on compliance of all requirements in the Cockfighting Ordinance and the Reclassification Ordinance. The reviewing authority cannot ask additional requirement/s other mentioned in the law or ordinance. The Supreme Court already ruled that what is only provided must be complied and additional requirements will impede the exercise of rights granted to it in general law and/or make a general law subordinate to local ordinance (Villacorta vs. Bernardo, 143 SCRA 480). The only ground upon which a provincial board may declare any ordinance is invalid is when such ordinance is beyond the power conferred upon the council making the same. Absolutely no other ground is recognized by law. If the provincial board passed the limits, it usurps the legislative function of the municipal council. (Moday vs. Court of Appeals, G.R. No. 107916, February 20, 1997).

In this light, I respectfully submit that any perceived delay in compliance should be assessed with due regard to my limited legal control over matters inherently incident to ownership and estate administration. At all times, my actions demonstrate sincere and continuing efforts to align my operations with the requirements of law and the directives of the appropriate authorities. I remain committed to full cooperation and lawful compliance, in a manner consistent with due process, equity, and the sound exercise of local legislative and administrative powers.

IV. ON "MACHINE BASED" OR "TECHNOLOGY DRIVEN" BETTING MODE

Issue: That unauthorized used of machine based technology-driven betting mode is unauthorized.

The resolution also expresses concern over reported use of "machine based technology or technology driven betting" and refers to the Sangguniang Bayan's stand that only "traditional" modes of betting shall be implemented. With respect, the governing Cockfighting Ordinance of Carigara (Municipal Ordinance No. 2022-133, "An ordinance Regulating the Establishment, Operation and Maintenance of Cockpits, Cockfighting Activities and Commercial Breeding of Gamecocks in Carigara") clearly defines cockfighting, sets out the permitted betting modes (logro schemes such as nueve, diez, tag upat/upat-tolo, siete diez, tres a dos, saiz diez), and lists detailed prohibited acts and penalties.

Nowhere in the ordinance is "machine betting," "electronic betting," or "technology driven betting" expressly prohibited, nor is there any provision penalizing the use of computer assisted systems as an internal tool to record, tally, or display bets within the licensed cockpit premises. Under well settled rules of statutory construction, what the law or ordinance does not expressly or impliedly prohibit is deemed allowed, especially when the statute itself enumerates the prohibited acts, applying the maxim expression unius est exclusion alterius. The Supreme Court has consistently held that restrictions and penalties cannot be created by implication and that acts not clearly within the

letter of a penal or regulatory ordinance may not be treated as violations. (People vs. Zeta, G.R. No. L 7140, 30 December 1955, 98 Phil. 930.)

In my case, any use of electronic means was limited to supporting the traditional logro betting system recognized in the ordinance and was conducted within the licensed cockpit during authorized cockfighting events, not as a separate or remote gambling operation.

Sections 11, 12, and 15 of the Cockfighting Ordinance provide for administrative provisions, enumerated prohibited acts, and a specific penalty clause, namely fines and/or imprisonment, and administrative fines for certain violations (e.g., allowing unauthorized gambling, using unlicensed officials, operating without permits, or violating conditions on conduct of games). Section 15 further states that when the violator is a firm, corporation, or juridical person, the owner, manager, proprietor, or person primarily in charge "shall be held liable for the penalty herein provided," clearly contemplating personal and penal liability rather than automatic forfeiture of the franchise for every infraction.

Section 5 of the franchising provisions recognizes that violation of its specific conditions "shall be a ground for revocation of franchise," but revocation must still follow due process and be based on substantial evidence of willful or grave breach of those exact conditions. Where the ordinance itself prescribes particular penalties for particular acts, the Sangguniang Bayan may not, without amending the ordinance or observing proper procedure, superimpose new, harsher sanctions on the franchise based on unenumerated or vaguely described acts.

IV. PRAYER

In view of the foregoing. I respectfully submit that:

1. There has been no violation of Section 4 of Municipal Ordinance No. 2022-133, as no sale, assignment, lease, usufruct, or transfer of the franchise ever took place. The use of an Operations Manager is a legitimate exercise of my prerogative as owner to delegate an operations manager to supervise the day to day activity, with me retaining full ownership, control, and accountability.
2. I have squarely addressed the Provincial Legal Office opinion by:
    1. Acknowledging the validity of the franchise as confirmed therein;
    2. Recognizing the primacy of P.D. 449 and related regulations; and
    3. Committing to align all operations, including any suspension or adjustment if so required, with the lawful directives of this Honorable Body and higher authorities.
3. I have taken cognizance of SP Resolution No. 2022-130, and am actively cooperating with the landowner of Lot No. 3904-A to secure the required tax and estate tax clearances, despite my lack of direct control over) the property's estate and tax affairs.
4. The absence of any explicit prohibition against the internal use of electronic or Machine Based tools, be allowed to continue the use of the said betting mode. Consider further, the passing of the Proposed Ordinance amending the Cockfighting Ordinance Allowing Machine Based Tool.

Accordingly, I respectfully pray that the Sangguniang Bayan of Carigara:

a. **ACCEPT** this written explanation as full compliance with SB Resolution No. 2025-268;
b. **FIND** that there *is no sufficient factual or legal basis* to revoke or impose severe sanctions on my franchise under Municipal Ordinance No. 2022-133; and
c. In the alternative, should the Honorable Body still see areas for compliance, to issue specific written conditions and reasonable periods for full rectification, with which I undertake to strictly comply.

I reiterate my respect for the Sangguniang Bayan and my continuing commitment to operate strictly within the bounds of law, ordinances, and all lawful directives of this August Body.

Respectfully submitted.

PATRICK V. MAKABENTA
Franchise Grantee
Canggara Amusement Center

SUBSCRIBED AND SWORN to before me this 16th day of January 2026 in Carigara, Leyte, Philippines. The affiant, Patrick V. Makabenta, who exhibited to me his Identification Card, (ID No. H02-15-005706), issued at LTO 409, and expiring on 11/22/2034, as his competent proof of identity, avowed under penalty of law that the foregoing statements are true and correct.

NOTARY PUBLIC

Doc No. 150;
Page No. 31;
Book No. VIII;
Series of 2026.

ATTY. WENCESLAO L. NARIDO, JR.
Notary Public
Carigara, Leyte
Notarial Commission Renewed | Valid Until 31DEC26
Attorney's Roll No. 32637
IBP Lifetime Member No. 08399 Leyte Chapter
MCLE Compliance No. VIII-0038071 | Valid Until 14APR28
PTR No. 1365401 | 01JAN26 | Cigar