

Republic of the Philippines
MUNICIPALITY OF MONCADA
Province of Tarlac
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EXCERPT FROM MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 12TH DAY OF MARCH 2018 AT THE LEGISLATIVE BUILDING SB SESSION HALL.

P R E S E N T :

HON. JAIME O. DUQUE	.. PRESIDING OFFICER
HON. RODOLFO A. ESPEJO	.. PRO-TEMPORE
HON. ALBERTO C. MARZAN, JR.	..MEMBER
HON. EDWARD V. TOLENTINO	..MEMBER
HON. JANIUS M. YASAY	..MEMBER
HON. THELMAFLOR A. ESPEJO	..MEMBER
HON. RUBEN V. GAMBOA, JR.	..MEMBER
HON. GEORGE MICHAEL P. AGUILAR	..MEMBER
HON. CLEOFE D. FAVIS	..MEMBER
HON. GEORGE R. CUCHAPIN	..EX-OFFICIO MEMBER

A B S E N T : N O N E

RESOLUTION NO. 23-2018

On motion by COUN. JANIUS M. YASAY and unanimously seconded;

RESOLVED, to pass and approve, Resolution No. 23-2018, containing Ordinance No. 02 S. 2018, to wit:

ORDINANCE NO. 02
SERIES 2018

“AN ORDINANCE REGULATING THE ESTABLISHMENT OF OFF-COCKPIT BETTING STATIONS IN THE MUNICIPALITY OF MONCADA, TARLAC AND PROVIDING PENALTIES FOR VIOLATION THEREOF.”

WHEREAS, 458 (a) (3) (v) of Republic Act No. 7160 otherwise known as the Local Government Code of 1991 expressly provides that:

“(v) Any law to the contrary notwithstanding, authorize and license the establishment, operation and maintenance of cockpits, and regular cock-fighting and commercial breeding of gamecocks: Provided, that existing rights should not be prejudiced.”

WHEREAS, pursuant to the aforementioned law, the power to license and regulate off-cockpit betting stations at the local level is vested in the local government unit where the stations are located;

WHEREAS, Presidential Decree No. 1802 in relation to Executive Order No. 149, the Games and Amusement Board is not rendered powerless from exercising its authority over cockfighting which includes, among others, the licensing of international derbies, regulating of cockfighting in general, issuance of cockfighting related policies on the national level and the preservation of the sport as a national heritage;

NOW, THEREFORE BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF MONCADA, in session assembled that:

Section 1. The Municipality of Moncada, Tarlac hereby authorizes the Manila Cockers Club, Inc. (MCCI) to establish, operate and maintain an off-site betting station in the Municipality of Moncada, Tarlac for the purpose of offering, taking or arranging bets for cock fights conducted and held in MCCI's licensed cockpit arena located at Carmona, Cavite, and further authorizing said off-site betting station to accept feeds from broadcast, video streaming, and other electronic means of transmission of cockfights conducted and held in MNCCI's cockpit arena in Carmona, Cavite. And further authorizing said off-site betting station to accept feeds from broadcast, video streaming, and other electronic means of transmission of cockfights conducted and held in MCCI's cockpit arena in Carmona, Cavite.

Section 2. The Authority granted herein is subject to the following regulations:

a. In no case shall off-cockpit betting stations be established within 200-meter radius from public or private educational institutions, places of worship, public parks and plazas, hospitals, health centers, public or private markers, barangay hall and public buildings and shall comply with the municipality's zoning ordinance.

b. Persons below eighteen (18) years old shall not be allowed to play or place any bet at off-cockpit betting stations. An ID to verify the age of the bettor shall be requested or presented.

c. There shall be allowed only one (1) betting station in the municipality.

d. Operator,/owner of off--cockpit station shall provide ample space within their premises to accommodate bettors so as not to obstruct continuous flow of vehicular/pedestrian traffic on the streets/sidewalks adjacent to their places of business.

e. Comply with approved national laws and municipal ordinances, provisions of the Building Code and such other lawful orders, zoning requirements and conditions imposed by the Local Government Unit of Moncada, Tarlac and other national government agencies.

f. Payment of Mayor's Permit based on the capital investment of new applicants and Municipal License based on the report of gross commission earned from the Games and Amusement Board in case of renewal.

Section 3. Penalty Clause. Any person or entity who violates this Ordinance shall, upon conviction be penalized by a fine of Php2,500.00) or six (6) months imprisonment or both, at the discretion of the Court, and the cancellation of Business License or Permit to operate and closure of the business establishment at the discretion of the Municipal Mayor.

Section 4. Repealing Clause. All ordinances, local executive orders, and administrative regulations, or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 5. Separability Clause. If, for whatever reason or reasons, any part or provisions of this Ordinance shall be held unconstitutional or invalid, other parts of provision hereof which are not affected thereby shall continue to be in full force and effect.

Section 6. This Ordinance shall take effect upon approval.

I HEREBY CERTIFY to the correctness of the foregoing Resolution.


ABRAHAM S. SALES, JR.
ACTING SB SECRETARY

ATTESTED BY:


HON. JAIME O. DUQUE
MUNICIPAL VICE-MAYOR & PRESIDING OFFICER

APPROVED:


HON. ESTELITA M. AQUINO
MUNICIPAL MAYOR